

## 4.2 LAND USE

This section describes applicable land use policies and plans in the study area and existing conditions related to land uses. Potential short-term and long-term land use impacts that could result from project implementation are described and mitigation measures are recommended as necessary to reduce potentially significant adverse effects.

Refer to Section 4.3, Forestry Resources (Impact 4.3-1), for a discussion of potential conflict with existing zoning of forest and timberlands.

### 4.2.1 REGULATORY SETTING

A variety of plans and policy statements administered by federal, state, regional, and local agencies apply to the action alternatives. Relevant planning guidance used to evaluate the potential for land use impacts resulting from project implementation are described below.

#### FEDERAL

##### US FOREST SERVICE

The project components are predominantly located on National Forest System (NFS) lands managed by the US Department of Agriculture, US Forest Service (USFS); these lands are located in the Tahoe National Forest and in the Lake Tahoe Basin Management Unit (LTBMU). The management of NFS lands in each of these forests is guided by separate Land and Resources Management Plans. The current plans are summarized below.

##### Lake Tahoe Basin Management Unit—Land and Resource Management Plan

LTBMU manages more than 75 percent of lands within the Tahoe Region, including lands located within the project study area. Land management is guided by the LTBMU Land and Resource Management Plan (Forest Plan) (USFS 1988), as amended by the Sierra Nevada Forest Plan Amendment (SNFPA) (USFS 2004), described below. The Forest Plan sets the framework for how the resources of the national forest are managed. The plan translates national laws, policies, and regulations into guidance for activities that occur on the NFS lands.

The LTBMU Forest Plan is currently being revised and is undergoing environmental review; the revision will be guided by the 2000 National Forest Management Act Planning Rule principles. The plan revision is occurring concurrently with the environmental review for the CalPeco 625 and 650 Electrical Line Upgrade Project (proposed project) evaluated in this EIS/EIS/EIR. Because the timing of adoption and implementation of the plan revision is speculative, specific guidance in the 1988 Forest Plan provides the basis for evaluating the proposed project's consistency with LTBMU planning guidance. The project's consistency with the Forest Plan is considered in the National Forest Management Act (NFMA) Forest Plan Consistency Checklist, a planning tool developed and used by LTBMU staff, included in Appendix G of this EIS/EIS/EIR. As described in the NFMA checklist, incorporated by reference here, the action alternatives would be consistent with the relevant Forest Plan directives. Therefore, specific Forest Plan directives are not included for consistency analysis in this section.

##### Tahoe National Forest—Land and Resource Management Plan

The Tahoe National Forest is located in the north central Sierra Nevada in California and is bounded on the north by the Plumas National Forest, on the east by the Toiyabe National Forest and LTBMU, and on the south by the Eldorado National Forest. The Forest Plan (USFS 1990) provides direction for managing the Tahoe National Forest, which includes an approximately 1-mile stretch of the 625 Line (portions of Segment 625-3 and Segment 625-4/4A) and a 0.25 mile stretch of the 650 Line (Segment 650-4; the existing and rebuilt 650 Line along

Glenshire Drive [Segment 650-6] is outside of the NFS boundary in this location) within the project study area. Specifically, Chapter V, Management Direction, presents both forest-wide and area-specific management direction for the Tahoe National Forest. The forest-wide management direction consists of forest goals and desired future conditions, objectives, and forest-wide standards and guidelines. Specific management direction for each of the 106 management areas includes: management emphasis for the area, selected standards and guidelines, and compatible available management practices. The Tahoe National Forest, Forest Plan is amended by the Sierra Nevada Forest Plan Amendment (USFS 2004), described below. The project's consistency with the Tahoe National Forest Plan is considered in a matrix similar to the NFMA checklist described above for the LTBMU (but with relevant standards and guidelines only) and is included in Appendix G of this EIS/EIS/EIR. As described in the Tahoe National Forest NMFA checklist, incorporated by reference here, the action alternatives would be consistent with the Tahoe National Forest standards, guidelines, and management practices. Therefore, specific Tahoe National Forest standards, guidelines, and management practices are not included for consistency analysis in this section.

### **Sierra Nevada Forest Plan Amendment**

The Sierra Nevada Forest Plan Amendment of 2004 (USFS 2004) amends the Forest Plans for the 11 National Forests that fall within the Sierra Nevada, including the LTBMU Forest Plan and the Tahoe National Forest Plan, described above. The SNFPA Final Supplemental Environmental Impact Statement and Record of Decision (ROD) describe the amendments to the Sierra Nevada Forest Plan developed to improve protection of old forests, wildlife habitats, watersheds and communities in the Sierra Nevada and Modoc Plateau. Appendix A of the ROD provides management direction for the Record of Decision. The appendix is divided into six parts.

- ▲ Part A presents broad management goals and strategies for addressing the five problem areas: old forest ecosystems and associated species; aquatic, riparian, and meadow ecosystems and associated species; fire and fuels management; noxious weeds; and lower westside hardwood ecosystems.
- ▲ Part B describes desired conditions for land allocations across Sierra Nevada national forests.
- ▲ Part C describes management intents and objectives.
- ▲ Part D describes management standards and guidelines that provide direction for specific aspects of project planning and analysis.
- ▲ Part E sets forth management direction for the Herger-Feinstein Quincy Library Group Pilot Project Area during the life of the pilot project.
- ▲ Part F describes the monitoring plan for the ROD.

While the ROD generally establishes broad goals, the Management Direction appendix (Appendix A of the ROD) is intended to provide more specifics at the objectives and implementation level. The project's consistency with specific guidance provided in the SNFPA is considered in the NFMA Forest Plan Consistency Checklist included as Appendix D of this EIS/EIS/EIR. As described in the NFMA checklist, incorporated by reference here, the action alternatives would be consistent with the SNFPA guidance. Therefore, specific SNFPA standards and guidelines are not included for consistency analysis in this section.

## **US ARMY CORPS OF ENGINEERS**

### **Martis Creek Lake Master Plan**

The US Army Corps of Engineers' (USACE) Martis Creek Lake Master Plan (USACE 1977) is used to guide the administration and development of land and water within the Master Plan area (Exhibit 3-2 shows the limits of land managed by the USACE in Martis Valley). The Master Plan prescribes the policies, objectives, and programs for the continuation of conservation, enhancement, development, use, and management of land, water, and other resources within the Master Plan area. It identifies the resources of the Master Plan area and describes the manner in which public use needs and other uses of the land and water resources will be met. Facilities

development, operation, and management are described and discussed. Segments 650-4 (Alternative 1, PEA Alternative and Alternative 4, Proposed Alternative), 650-4A (Alternative 2, Modified Alternative), and 650-4B (Alternative 3, Road Focused Alternative [there is no difference between Alternatives 3 and 3A in this area]) pass through this USACE managed property. Project consistency with relevant guidance provided in the Master Plan is considered in Appendix G of this EIS/EIS/EIR.

The master plan includes several Engineering Regulations (ER) that have been rescinded, but one is still in effect; ER 1110-2-400 (published May 31, 1988) establishes policy and guidance for the design of recreation sites, areas, and facilities. The action alternatives do not include design of recreation facilities, and therefore, ER 1110-2-400 does not apply.

## **FEDERAL AVIATION ADMINISTRATION**

### **Federal Aviation Regulations Part 77**

The Federal Aviation Administration published Federal Aviation Regulations (FAR) Part 77, “Objections Affecting Navigable Airspace” in 1965. Subsequent Amendments 73-1 through 73-11 were incorporated into the edition published in March 1993. FAR Part 77 is codified under Subchapter C, Aircraft, of Title 14 of the Code of Federal Regulations. FAR Part 77 establishes standards for determining obstructions in navigable airspace; sets forth the requirements for notice to the Administrator of certain proposed construction or alteration; provides for aeronautical studies of obstructions to air navigation, to determine their effect on the safe and efficient use of airspace; provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and provides for establishing antenna farm areas. FAR Part 77 standards and guidelines are incorporated into the Truckee Tahoe Airport Land Use Compatibility Plan (Foothill Airport Land Use Commission 2004), which is described below.

## **STATE**

Several state agencies have approval responsibility over the project, such as permitting (see Table 3-7 in Chapter 3, Project Alternatives), but do not have planning documents that guide land use development. Relevant regulations of agencies that do not have land use authority related to the project are discussed in other resource sections of this EIS/EIS/EIR, as applicable.

CPUC has sole and exclusive jurisdiction over the siting and design of the project and alternatives because it authorizes the construction, operation, and maintenance of investor-owned public utility facilities. Although such projects are exempt from local land use and zoning regulations and discretionary permitting (i.e., they would not require any land use approval that would involve a discretionary decision to be made by a local agency such as a planning commission, city council or county board of supervisors), General Order No. 131-D, Section XIV.B requires that in locating a project “the public utility shall consult with local agencies regarding land use matters.” The public utility is required to obtain any required non-discretionary local permits. This preemptive authority does not apply to special districts, other state, or federal agencies.

The following state agencies do have land use authority in portions of the project area.

## **CALIFORNIA STATE PARKS**

The California Department of Parks and Recreation, or California State Parks (State Parks), defines its mission as follows, “...to provide the health, inspiration, and education of the people of California by helping to preserve the state’s extraordinary biological diversity, protecting its most valued natural and cultural resources, and providing opportunities for high-quality recreational experiences based on those resources.” State Parks manages the California State Park System, including Burton Creek State Park, the Kings Beach State Recreation Area (SRA), the Tahoe SRA, Washoe Meadows State Park, Lake Valley SRA, Emerald Bay State Park, D.L. Bliss

State Park, and Sugar Pine Point State Park in the Tahoe Region. Long-range development and management of each state park is directed by a general plan, which provides broad policy and program guidance. Each California state park must have an approved general plan before any major park facilities can be developed. Several of the power line poles along the existing 625 Line are located within the southern boundary of Burton Creek State Park. The action alternatives would involve replacing the existing wood poles with taller steel poles within the existing alignment, installing new conductors, and expanding the width of the existing easement, as is required with taller poles. Relevant planning guidance from the Burton Creek State Park General Plan is summarized below.

### **Burton Creek State Park General Plan**

Burton Creek State Park is located adjacent to Tahoe City. The park has been in existence since 1978 when it was acquired by California State Parks. The purposes of the acquisition were to provide a large area of resource protection and outdoor recreation opportunities on the north side of the Lake Tahoe Basin. The Burton Creek State Park General Plan (State Parks 2005) was developed to lay the foundation for possible future campground development; to describe and address the immediate need to develop day use and access facilities; to implement planned interpretive programming; and to implement a Road and Trail Plan for the park. The Burton Creek State Park General Plan also addresses integration of the park with the surrounding USFS and California Tahoe Conservancy properties, and private property.

Segment 625-2 of the action alternatives runs adjacent to Burton Creek State Park. Several existing poles are located within the southern park boundary. As part of each of the action alternatives, the existing wooden poles would be replaced with steel poles. Two existing roads within the Burton Creek State Park boundaries are proposed for use as project access roads. One of these roads would require some improvements for project access, however, the applicant has agreed at the request of California State Parks to complete the construction with no new access and with limited impact to the existing right of way.

Project consistency with relevant policies in the Burton Creek State Park General Plan is considered in Appendix G of this EIS/EIS/EIR.

### **CALIFORNIA TAHOE CONSERVANCY**

The California Tahoe Conservancy's (Conservancy) mission is to preserve, protect, restore, enhance, and sustain the unique and significant natural resources and recreational opportunities of the Lake Tahoe Basin. Established by State law in 1984, the Conservancy's jurisdiction extends throughout the California side of the Lake Tahoe Region, as defined in California Government Code Section 66905. The Conservancy develops and implements projects to improve water quality, preserve Lake Tahoe's scenic beauty, provide recreational opportunities and public access, preserve wildlife habitat areas, and manage and restore lands to protect the natural environment. The Conservancy has the power to acquire, hold, and manage property in the Tahoe Region. Since 1984, the Conservancy has acquired more than 4,800 parcels of land, comprising more than 6,500 acres, for the purposes of protecting the natural environment and promoting public recreation and Lake access. The Conservancy manages and implements restoration and other projects on these lands. The Conservancy has also provided approximately 170 grants to local governments and non-profit organizations for erosion control, public recreation and access, land acquisition, and other projects. Since 1997, the Conservancy's programmatic efforts have been focused on California's commitment to the implementation of the Environmental Improvement Program (EIP) for the Tahoe Region and to address declining resource values at Lake Tahoe.

The Conservancy has adopted Special Use Guidelines (Conservancy 2011) to regulate special uses on their lands. "Special uses" involve the grant of a lease, license, or easement on Conservancy land to a public or private entity for a variety of uses. Such uses often include installation of utility lines. The Conservancy permits special uses on its lands consistent with its guidelines through the execution by both parties of one of three documents: a license, a lease, or an easement. The Conservancy has classified its special use requests into four distinct types



of uses: Temporary Uses (duration of five days or less; use is granted pursuant to a lease or license agreement), Short Term Uses (duration of more than five days but less than six months; use is granted pursuant to a lease or license agreement), Long Term Uses (duration of 6 months or more, but is not of a permanent nature; use is granted pursuant to a lease or license agreement), and Permanent Uses (use of Conservancy land is permanent; use is granted pursuant to an easement). The type of use will determine: (1) the application procedure for special use requestors, and (2) the nature of the legal document granting the right to use Conservancy property. That is, each type of use carries with it distinct requirements pertaining to use, insurance, indemnification, impairment, waivers, attorney fees, notices, etc. Specific requirements are outlined in the Special Use Guidelines document (Conservancy 2011).

While none of the action alternatives cross Conservancy-owned properties, Segments 625-2 and 625-10 run adjacent to Conservancy-owned properties. Additionally, the action alternatives would include new access ways and access roads with needed improvements on Conservancy-owned property located at the intersection of Segments 625-1 and 625-2. The applicant may be required to apply for a special use request for new access ways and improved access roads on Conservancy-owned properties and would coordinate directly with Conservancy staff on permitting needs.

## **TAHOE REGIONAL PLANNING AGENCY**

### **REGIONAL PLAN**

TRPA implements its authority to regulate growth and development in the Lake Tahoe Region through the Regional Plan. The Regional Plan includes Resolution 82-11, the Environmental Threshold Carrying Capacities (threshold standards), Goals and Policies, Code of Ordinances, community plans, plan area statements, and other guidance documents. Under the Regional Plan Update adopted in December 2012, local agencies may develop area plans that supersede community plans and areas, but none have yet been adopted.

### **Environmental Threshold Carrying Capacities**

TRPA has established Environmental Threshold Carrying Capacities (threshold standards) and indicators for nine resource areas: water quality, air quality, scenic resources, soil conservation, fish habitat, vegetation, wildlife habitat, noise, and recreation. TRPA threshold standards are minimum standards of environmental quality targets to be achieved in the Tahoe Region. Until December 2012, when TRPA adopted its Regional Plan Update, the attainment status of each TRPA threshold standard was evaluated every five years; with the Regional Plan Update, they will be evaluated every four years, along with the Regional Plan itself and Regional Transportation Plan. The latest TRPA Threshold Evaluation was completed in April 2012.

No threshold standard applies specifically to land use, and the adopted environmental threshold standards do not define the maximum populations, densities, permitted uses, and other land use criteria for the Region. However, the threshold standards do set performance criteria that may be influenced by land use planning considerations, including coverage, restoration-based incentives, and allocation considerations. Land use planning considerations proposed in this EIS/EIS/EIR that could affect environmental threshold standards are discussed in the relevant resource sections.

### **Goals and Policies**

The foundation of the Regional Plan, the Goals and Policies are statements of policy to guide decision making as it affects the Region's resources and environmental thresholds, and they are intended to provide opportunities for orderly growth and development consistent with those thresholds. The Goals and Policies are addressed in six major elements: land use, transportation, conservation, recreation, public services and facilities, and implementation. The Land Use Subelement of the Regional Plan addresses policies pertaining to growth and development of the Lake Tahoe Region. It is intended to direct the amount, type, and location of land uses and land coverage; balance land uses with the social, environmental, and economic wellbeing of the Region; and

coordinate regional land uses with land uses in surrounding areas. The project's consistency with relevant policies in the Regional Plan is addressed in Appendix D of this EIS/EIS/EIR.

### **Code of Ordinances**

The Code of Ordinances (Code) contains necessary provisions needed to implement the Regional Plan Goals and Policies. Adopted standards in the Code must be met by projects. The most recent Code of Ordinances (published October 24, 2012) was adopted by the TRPA Governing Board on December 12, 2012. Code standards applicable to specific resources (e.g., biological resources, hydrology and water quality, scenic, etc.) are described in those resource sections of this EIS/EIS/EIR. The following Code sections are relevant to the discussion of land use impacts for the project.

### **Permissible Uses**

Chapter 50, Allocation of Development, of the TRPA Code sets forth the requirements for regulating the rate and timing of growth within the region. TRPA regulates growth through the issuance of allocations of residential units, commercial floor area, tourist accommodation units, and public service facilities. Allocations are generally only required for primary uses, meaning that an allocation is only required for the main use for which the parcel is developed.

Primary uses are defined in Chapter 21, Permissible Uses, of the TRPA Code. All parcels have one or more permissible primary uses. Primary uses are defined as either "allowed" or "special." Plan area statements and community plans (described below) define which terms apply to a particular parcel. Examples of primary uses include public utility centers, transmission and receiving facilities, hotels and motels, eating and drinking places, and residences. Subsection 21.2.1 of the TRPA Code defines allowed uses as uses listed in the applicable plan area statement, community plan, redevelopment plan or specific plans that are appropriate uses for the specified area, and projects and activities pursuant to such uses may be permitted. By definition, allowed uses are assumed to be compatible with the direction of the Regional Plan and surrounding land uses. Special uses are uses that may be determined to be appropriate uses for the specified area, and projects and activities pursuant to such uses found to be appropriate may be permitted. To determine whether a special use is appropriate, TRPA must make the following findings (Subsection 21.2.2):

- (1) The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located;
- (2) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners; and
- (3) The project, to which the use pertain, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

Uses not listed in the applicable plan area statements and community plans as permissible uses are prohibited (Subsection 21.2.4 of the TRPA Code). Also, proposed special uses for which the findings in Subsection 21.2.2 (above) cannot be made are prohibited uses.

Uses that are legally existing (commenced before the effective date of the Regional Plan, July 1, 1987) that would be prohibited if new are defined as non-conforming uses and may be continued (Subsection 21.2.3 of the TRPA Code). Non-conforming uses cannot be expanded or intensified. Modifications to a non-conforming use may be permitted only when TRPA finds that the modifications do not increase the extent of non-conformity (Subsection 21.5.2.C of the TRPA Code).

Accessory uses are also defined in Chapter 21 of the TRPA Code. Accessory uses are defined as a use, building, or other facility customarily a part of any primary use; that is clearly incidental and secondary to the primary use; that does not change the character or the intensity of the primary use; and that does not operate independent of the primary use. Driveways are an example of an accessory use. Impact 4.2-1 addresses whether proposed uses associated with the action alternatives are Permissible Uses.

## Land Use Classification System

Land in the Tahoe Region is assigned to one of five classifications: Conservation, Recreation, Residential, Commercial and Public Service, and Tourist. The classifications are a gross summarization of major land uses that exist in the Region and are further defined by Plan Areas and corresponding Plan Area Statements (PASs).

## Plan Area Statements

The Tahoe Region is divided into Plan Areas, as shown on Exhibit 4.2-1, each of which has an adopted PAS which provides the planning blueprint for that area. PASs supplement and elaborate on the Placer County General Plan for the area they cover and provide a detailed guide for planning within discrete areas of the Region. Each Plan Area is assigned a single land use classification, and one of three management strategies: development with mitigation, redirection of development, or maximum regulation. Some Plan Areas are designated as Community Plan areas, receiving areas for transfer of development commodities, or areas targeted for scenic restoration and affordable housing provisions. Additionally, PASs identify planning considerations, special policies, maximum densities for residential and tourist accommodation uses, community noise equivalent levels, allowable and special uses, and the amount of additional recreation capacity permissible. All of the action alternatives include components that are within the following Plan Areas: Lower Truckee (003), 64-Acre Tract (174), Tahoe City (001A), Tahoe City Industrial (001B), Fairway Tract (002), Burton Creek (004), Watson Creek (013), Northstar (015), Martis Peak (019), Kingswood East (025), Woodvista (027), and Kings Beach Industrial (026). TRPA does not have traditional zoning designations for parcels located within its jurisdiction. Instead, each PAS designates a Land Use Classification (general plan designation) and a list of Permissible Uses (zoning).

## Community Plans

Currently, there are 16 Community Plan areas that have adopted plans. These plans supersede the PASs and are designed to be more responsive to the needs and opportunities of the respective communities. The original intent of the Community Plans was to concentrate commercial uses to reduce the negative effects of “strip” development and to provide incentives to renovate, revitalize, and remove blighted commercial development. With the adoption of the 2012 Regional Plan Update, community plans may be superseded by the adoption of future Area Plans (described below).

Community Plan areas are made up of one or more Plan Areas and contain commercial, tourist, and public service land uses. Community Plans describe a land use vision, development and coverage incentives, and environmental targets. Additionally, like PASs, Community Plans provide planning considerations, special policies, maximum densities for residential and tourist accommodation uses, community noise equivalent levels, allowable and special uses, among other planning guidance. The Community Plans applicable to the project area are: the Tahoe City Community Plan (TRPA and Placer County 1996a) and the Kings Beach Industrial Community Plan (TRPA and Placer County 1996b). The project’s consistency with relevant policies in these Community Plans is addressed in Appendix G of this EIS/EIS/EIR.

## Area Plans

The concept of Area Plans was introduced with the adoption of the Regional Plan Update in 2012, wherein public agencies may prepare plans consistent with the Regional Plan and utilize new allowances for streamlined permitting and increased intensity in specific community centers. Local jurisdictions are encouraged to engage local residents and businesses and, in coordination with TRPA staff, prepare coordinated plans for implementation of land use goals and policies. The Area Plans, which would also include development ordinances and zoning designations, would be required to be consistent with the Regional Plan; they would be

subject to an initial conformance evaluation and on-going implementation oversight by TRPA. PASs, Community Plans, and use-specific Master Plans remain in effect in the newly-adopted Regional Plan (2012) until superseded by an Area Plan that is developed in accordance with and found in conformance with the Regional Plan.

Placer County is in the early visioning process for separate Area Plans addressing four distinct areas in the Placer County portion of the Lake Tahoe Basin. The planning process is still in its infancy, and it is not anticipated that any of these Area Plans would be adopted and in effect prior to a decision on the proposed project.

## Environmental Improvement Program

Launched in 1997, the Lake Tahoe EIP is a cooperative effort to preserve, restore and enhance the unique natural and human environment of the Lake Tahoe Region. The EIP program defines restoration needs for attaining environmental goals or thresholds and, through a substantial investment of resources, increases the pace at which the thresholds will be attained. Key to this strategy is reliance upon partnerships with all sectors of the community, including the private sector, local, state and federal government. The EIP identifies hundreds of specific projects and programs to be undertaken by more than 50 funding partners, including federal, state, and local agencies and the private sector. The projects focus on improving air, water, and scenic quality, forest health, fish and wildlife, and public access to the Lake and other recreation areas. The prime directive of the EIP is to move the Tahoe Region closer to environmental threshold standard attainment. The project's consistency with this directive is addressed in each of the resource sections for which a TRPA threshold standard has been established, including Section 4.4, Scenic Resources; Section 4.5, Geology, Soils, Land Capability and Coverage; Section 4.6, Hydrology and Water Quality; Section 4.7, Biological Resources; Section 4.8, Recreation; Section 4.13, Air Quality, Greenhouse Gas Emissions, and Climate Change; and Section 4.14, Noise.

## LOCAL AGENCIES

### PLACER COUNTY

#### Placer County General Plan

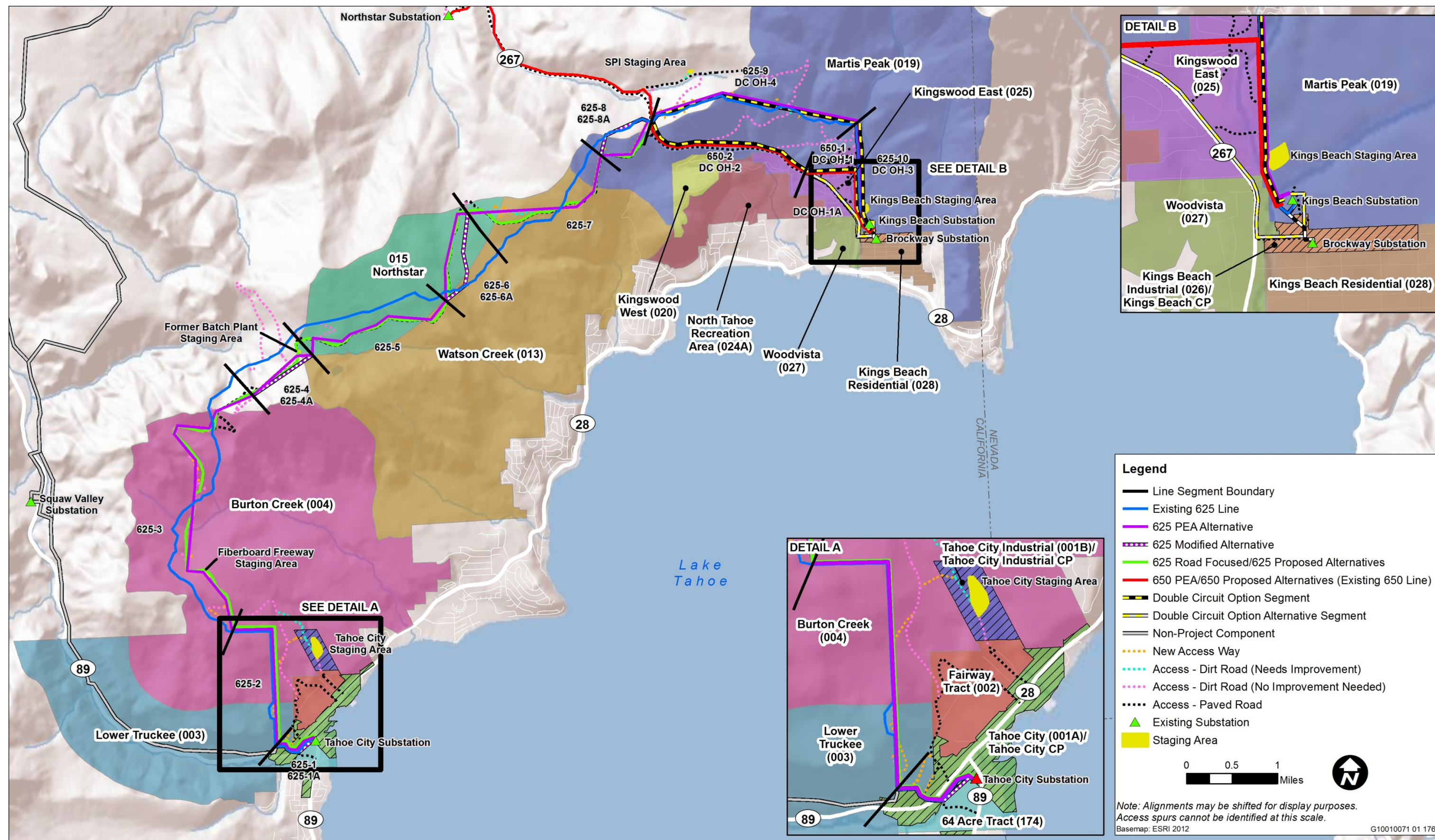
The Placer County General Plan was adopted on August 16, 1994 (Placer County 1994). The General Plan provides an overall framework for development of the county and protection of its natural and cultural resources. The goals and policies contained in the Countywide General Plan are applicable throughout the County, except to the extent that County authority is preempted by cities within their corporate limits. The project's consistency with relevant policies in the General Plan is addressed in Appendix D of this EIS/EIS/EIR.

#### Placer County Code

The Placer County Code includes updates through Ordinance 5681-B and the October 2012 code supplement (available online: <<http://qcode.us/codes/placercounty/>>). Code standards applicable to specific resources (biological resources, water quality, etc.) are described and evaluated in those resource sections of this EIS/EIS/EIR. The following Code standards would be applicable to this project.

- ▲ 12.04.010 – Roads and Highways: Permit required (Digging along roads, etc.). It is unlawful for any person to dig, cut, open, excavate or maintain, or to cause to be dug, cut, opened, excavated or maintained, any ditch, cut, hole, drain, tunnel, or other opening, in, through, under, along, across or upon any county or public road, land, street, sidewalk, or highway in the county, without first procuring a permit from the department of public works.
- ▲ 12.04.020 – Roads and Highways: Permit required (Erection of poles along roads, etc.). It is unlawful for any person to erect or construct any pole line for any purpose over, across, along or upon any county or public road, land, street, sidewalk or highway in the county, without first obtaining a permit from the department of public works.





Source: Data received from TRPA and Tri Sage 2012; adapted by Ascent Environmental in 2012

Exhibit 4.2-1

Plan Area Statement and Community Plan Boundaries







- 12.04.120 – Roads and Highways: Private access roads. It is unlawful for any person to construct or maintain any private driveway or access road to a county highway without providing such facilities as may be necessary for drainage under such private driveway or access roads with the drainage way along such county highway or without first obtaining a permit from the department of public works.
- 13.36.070 – Underground Utilities: Other exceptions. This article and any resolution adopted pursuant to Section 13.36.040 shall, unless otherwise provided in such resolution, not apply to the following types of facilities: D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of thirty-four thousand five hundred (34,500) volts.

## NEVADA COUNTY

### Nevada County General Plan

The Nevada County General Plan was approved in 1996, and amended in 2008 and 2010 (Nevada County 2012). The General Plan guides the physical, economic, and environmental future of the County, and includes goals, objectives, policies, and implementation measures. The role of the General Plan is to provide the framework for the future physical growth of the County, and serve as the foundation for land use decisions. It expresses long term community development goals and embodies public policy related to the distribution of future land use. Because it embodies public policy, it is intended to be used by County decision makers to review new development in order to ensure that such development will contribute to achieving the vision for Nevada County which is inherent in the General Plan.

The action alternatives do not include any permanent improvements (e.g., power poles and lines, access ways, and substations) in unincorporated Nevada County. Several staging areas (i.e., Airport Staging Areas 1, 2, and 3) under consideration for use as part of the action alternatives are located within Nevada County and outside of the limits of the Town of Truckee. Because use of these staging areas would be temporary and would require limited site improvements (e.g., vegetation clearing, minor improvements to dirt access ways, and construction fencing), General Plan land use policies, which are intended to guide new development, would not be applicable. For these reasons, Nevada County regulations are not discussed further herein.

## TOWN OF TRUCKEE

### Town of Truckee General Plan

The 2025 General Plan represents the first update to the Town of Truckee's General Plan since the Town adopted its first General Plan in 1996, following its incorporation in 1993. The Town of Truckee 2025 General Plan was adopted by the Town Council on November 16, 2006 (Town of Truckee 2006). Segments 650-6 and 650-7 of the action alternatives are located within the limits of the General Plan area. The project's consistency with relevant policies in the General Plan is addressed in Appendix G of this EIS/EIS/EIR.

### Downtown Truckee Specific Plan

The purpose of the Downtown Truckee Specific Plan (1997) is to implement the Town of Truckee General Plan within the boundaries of the Downtown Study Area (Town of Truckee 1997). The Specific Plan sets forth the policies, projects, implementation plans, and regulations intended to ultimately achieve this directive. Segments 650-6 and 650-7 of the action alternatives are located within this area. The project's consistency with relevant policies in the Specific Plan is addressed in Appendix G of this EIS/EIS/EIR.

### Town of Truckee Development Code

The Town of Truckee Development Code carries out the policies of the Truckee General Plan by classifying and regulating the uses of land and structures within the Town of Truckee. The Development Code is adopted to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses in the Town. Code standards applicable to specific resources (biological resources,

water quality, etc.) are described and evaluated in those resource sections of this EIS/EIS/EIR. The following Code standards are applicable to land use impacts pertaining to this project.

- ▲ 18.24.090 – Services and Utility Placement Design Guidelines. Service areas and public utilities should be located in a manner that does not interfere with the form of buildings or their landscape.
- ▲ 18.30.056A(1) – Structures within Easements. No structure shall be allowed within public utility easements, access/driveway easements, drainage easements or any other easement offered for dedication to the County of Nevada or the Town, except as follows: The structure serves the purpose of the easement. For example, an electrical transformer in a public utility easement.
- ▲ 18.58.114 – Electrical Utility Facilities. The standards shall apply to the following types of electrical facilities in compliance with State law (Government Code Sections 53091 and 53096 and Public Resources Code Section 12808.5): 1. Electrical distribution lines of 100,000 volts or greater; and 2. Electrical substations within an electrical transmission system which receives electricity at 100,000 volts or greater.

## OTHER RELEVANT PLANS

### TRUCKEE TAHOE AIRPORT LAND USE COMPATIBILITY PLAN

The Truckee Tahoe Airport Land Use Compatibility Plan (Foothill Airport Land Use Commission 2004) was developed to promote compatibility between the airport and surrounding land uses. The plan serves as a tool for use by the Foothill Airport Land Use Commission (ALUC) in fulfilling its duty to review airport and adjacent land use development proposals. Additionally, the plan sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to land owners in their design of new development. The plan incorporates requirements and guidelines from FAR Part 77, described previously.

The influence area for the Truckee Tahoe Airport extends roughly 2.7 miles from the airport runways. This influence area encompasses lands within the Nevada County, Placer County, and the Town of Truckee. Additionally, portions of the airport influence area affect lands within the jurisdiction of the USFS, Tahoe National Forest and the USACE. Although the authority of the Foothill ALUC does not extend to federal lands, policies in the Compatibility Plan address the importance of coordination on airport land use compatibility matters. The policies establish compatibility criteria for future land use development in the airport environs. The policies also define the types of actions to be submitted for ALUC review and the procedures that the ALUC will follow in making compatibility determinations. Segments 650-3, 650-4 (Alternative 1: PEA Alternative and Alternative 4: Proposed Alternative), 650-4A (Alternative 2: Modified Alternative), 650-4B (Alternative 3: Road Focused Alternative [there is no difference between Alternatives 3 and 3A in this area]), 650-6 and 650-7 pass through the ALUC Compatibility Zones B1, C, D, and E. The regulatory setting in Section 4.10, Hazards and Hazardous Materials, describes the height limits and other restrictions on uses within each of these capability zones. The project's consistency with relevant restrictions and policies from the Airport Land Use Compatibility Plan is addressed in Appendix G of this EIS/EIS/EIR.

### MARTIS VALLEY COMMUNITY PLAN

The Martis Valley consists of an area of land that is approximately 70 square miles near the Town of Truckee in the central Sierra Nevada. The Martis Valley is located in both Nevada and Placer Counties, encompassing approximately 44,800 total acres. Within Placer County, however, Martis Valley consists of approximately 25,570 acres, or roughly 57 percent of the total acreage of the Valley. Land use patterns consist of a wide range of urban and commercial areas, forest lands, public and private recreational areas and facilities, as well as areas designated for airport use.



The Martis Valley Community Plan (MVCP) (Placer County 2003) provides a detailed focus on a specific geographic area of the unincorporated County, the Martis Valley. Some of the goals, policies, and implementation measures contained in the MVCP repeat those contained in the Placer County General Plan that are important to the MVCP area. Others supplement and elaborate upon (but not supersede) those contained in the General Plan to address specific community concerns and issues. In some instances, the MVCP relies entirely upon the General Plan to address certain issues which are not unique to the MVCP area and which are more appropriately addressed in the broader context in the General Plan. The land use designations set forth in the land-use map for the MVCP are consistent with, and are designed to implement, the goals, policies, and programs set forth in the General Plan. Policies in the General Plan and the MVCP shall be construed in a manner that harmonizes and implements the policies set forth in both documents. If, in the context of a particular program or development proposal, a policy in the General Plan cannot be reconciled with a policy in the MVCP, then the policy in the General Plan shall govern. The project's consistency with relevant policies in the MVCP is addressed in Appendix G of this EIS/EIS/EIR.

## 4.2.2 EXISTING CONDITIONS/AFFECTED ENVIRONMENT

This section summarizes the existing land uses, designated land uses, and zoning designations of lands in the project area. Federal and state agencies with jurisdiction over the project do not have land use designations for lands under their oversight or management. For this reason, the maps only identify federal and state land boundaries. Any underlying land use designations are defined by local and regional jurisdictions and agencies.

Exhibit 4.2-2 depicts the jurisdictional land use boundaries of the Town of Truckee, Placer County, and TRPA. Maps detailing the land use designations for these jurisdictions are provided in Exhibits 4.2-3, 4.2-4, and 4.2-5.

## EXISTING LAND USES AND DESIGNATIONS

### EXISTING 625 LINE

#### Land Uses

The existing 625 Line is located entirely within the unincorporated area of northeastern Placer County and generally follows an existing, partially-paved road (the Fiberboard Freeway) that is utilized for recreational and forestry-related activities. Approximately 13.4 miles of the approximately 15-mile-long power line is located on land managed by the USFS. The remaining portion of the line is located on state-owned lands within Burton Creek State Park and privately-owned land (Sierra Pacific 2010). See Exhibit 3-2 in Chapter 3, Project Alternatives.

One terminus of the existing 625 Line is at the Kings Beach Substation (end of Segment 625-10), which is located within the Kings Beach Diesel Generation Station, and situated north of the intersection of Deer Street and Speckled Avenue in Kings Beach. The area surrounding the Kings Beach Substation is forested and contains dispersed recreation facilities. From the station, the line heads in a northerly direction, until the end of Segment 625-10. Single-family homes are located west of the line in this section, and forested NFS land to the east. At the start of Segment 625-9, the line turns west and spans SR 267 at approximate the start of Segment 625-8. This portion of the line is located within forested areas of the USFS, LTBMU. The area is undeveloped, except for dirt access roads and recreational trails (Sierra Pacific 2010).

From the intersection with SR 267, the existing 625 Line heads southwest and continues across NFS lands through Segments 625-6 and 625-5. The nearest development in these segments is the Northstar-at-Tahoe Resort, located north of the existing 625 Line. Segment 625-4 and a portion of Segment 625-3 pass through NFS lands managed by the Tahoe National Forest. The line then heads south through NFS lands managed by the USFS, LTBMU in Segment 625-3, and turns east in Segment 625-2, with a few power poles within the limits of the

southern boundary of Burton Creek State Park for approximately 0.5 mile. A portion of the line ROW encroaches into Burton Creek State Park and there are several poles within the park boundaries. From this location, the 625 Line turns to the south and continues through the NFS land. This entire portion of the existing 625 Line travels through forested USFS land that is undeveloped, except for dirt roads and recreational trails (Sierra Pacific 2010).

After spanning SR 89 and the Truckee River at the start of Segment 625-1, the line turns in a northeasterly direction and parallels the Truckee River until terminating at the Tahoe City Substation. This portion of the line is bordered by the Truckee River to the north and the USFS-owned 64 Acre Recreation Site, which is comprised of recreational trails, restrooms, picnic areas, public restrooms, and parking managed by the Tahoe City Public Utility District, to the south. The existing 625 Line terminates at the Tahoe City Substation located on the west side of SR 89, across from the Truckee River Outlet (Fanny Bridge). The area surrounding the power line and the Tahoe City Substation to the north and east is commercially developed with restaurants and tourism-related uses (Sierra Pacific 2010).

## Land Use Designations

The majority (approximately 80 percent) of the existing 625 Line is located within the regulatory jurisdiction of the TRPA, because of its location within the Lake Tahoe Basin. The remaining 20 percent of the power line is located in Placer County. Most of the land crossed by the existing 625 Line is designated as either Recreation or Conservation in the applicable TRPA PASs. Approximately 0.2 mile of the existing 625 Line near the Tahoe City Substation is within the Tahoe City Community Plan and is classified as Mixed Use. All of the applicable TRPA PAS classifications allow power lines under the provisions for a Special Use.

Two segments of the existing 625 Line – where the line spans SR 267 and just west of the Watson Creek Plan Area – are located within Placer County, but outside the boundary of the Lake Tahoe Basin, and thus outside of TRPA jurisdiction. The Placer County General Plan has designated the land use within these segments as Forest and Open Space along SR 267, and Agriculture/Timberland west of the Watson Creek Plan Area. These segments are zoned for Forestry (FOR), Timberland Production (TPZ), and Open Space (O). The allowed uses in the FOR, TPZ, and O zoning districts include growing and harvesting of timber and other forest products, agriculture and grazing, as well as public and commercial recreational uses. Power lines are listed as an allowed use in the FOR, TPZ, and O zoning districts.

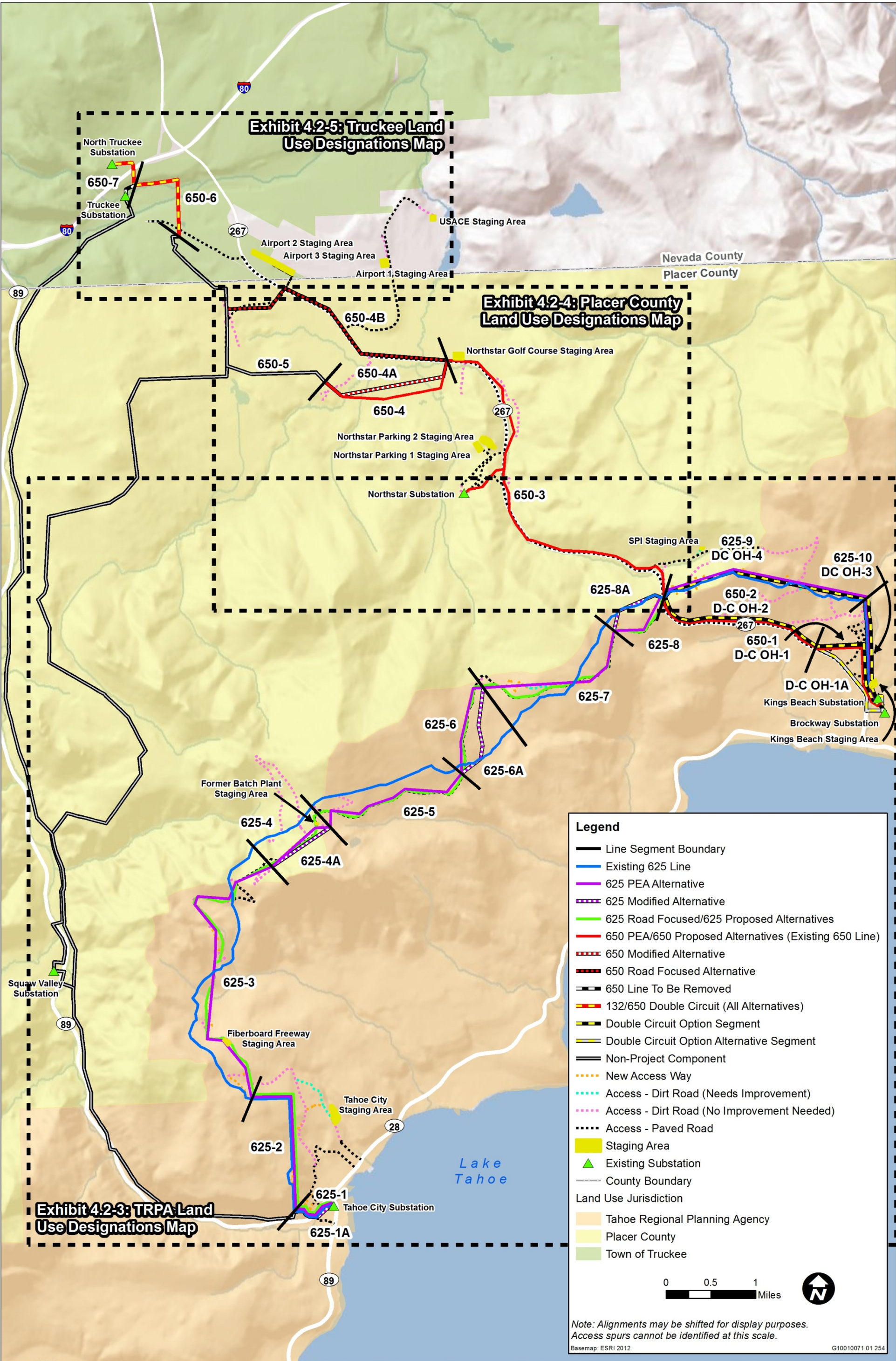
## PROPOSED RELOCATED 625 LINE

### Land Uses

The four action alternatives (Alternatives 1, 2, 3, and 4) all propose realigning the 625 Line to generally parallel the path of the existing 625 Line, except in Segments 625-9 and 625-10. Because the proposed relocated 625 Line would follow a similar alignment as the existing 625 Line in Segments 625-1 through 625-8 (albeit offset from its current alignment by up to 0.75 mile in some reaches [see Exhibit 4.2-1]), the same types of existing land uses are present (forest, conservation, and recreation). Single-family residences are located along the proposed 625 Line alignments in the same locations as the existing 625 Line (near both termini, where existing and proposed run coincident).

For Alternative 1 (PEA Alternative) and Alternative 2 (Modified Alternative), Segments 625-9 and 625-10 would generally follow the path of the existing 625 Line and would have the same types of existing land uses. For Alternative 2 (Modified Alternative) the difference is that in this case the line would be double circuited with the 650 Line in these segments. However, Alternative 3 (Road Focused Alternative) and Alternative 4 (Proposed Alternative) do not include Segments 625-10 and 625-9, as the 625 Line would be double circuited with the 650 Line on the existing 650 Line alignment that runs parallel to and east of SR 267 for this portion of the line. See the description for Segments 650-1 D-C OH-1/1A and 650-2 D-C OH-2, below.





Source: Data received from Placer County, Tri Sage, and TRPA 2012; Adapted by Ascent Environmental in 2012

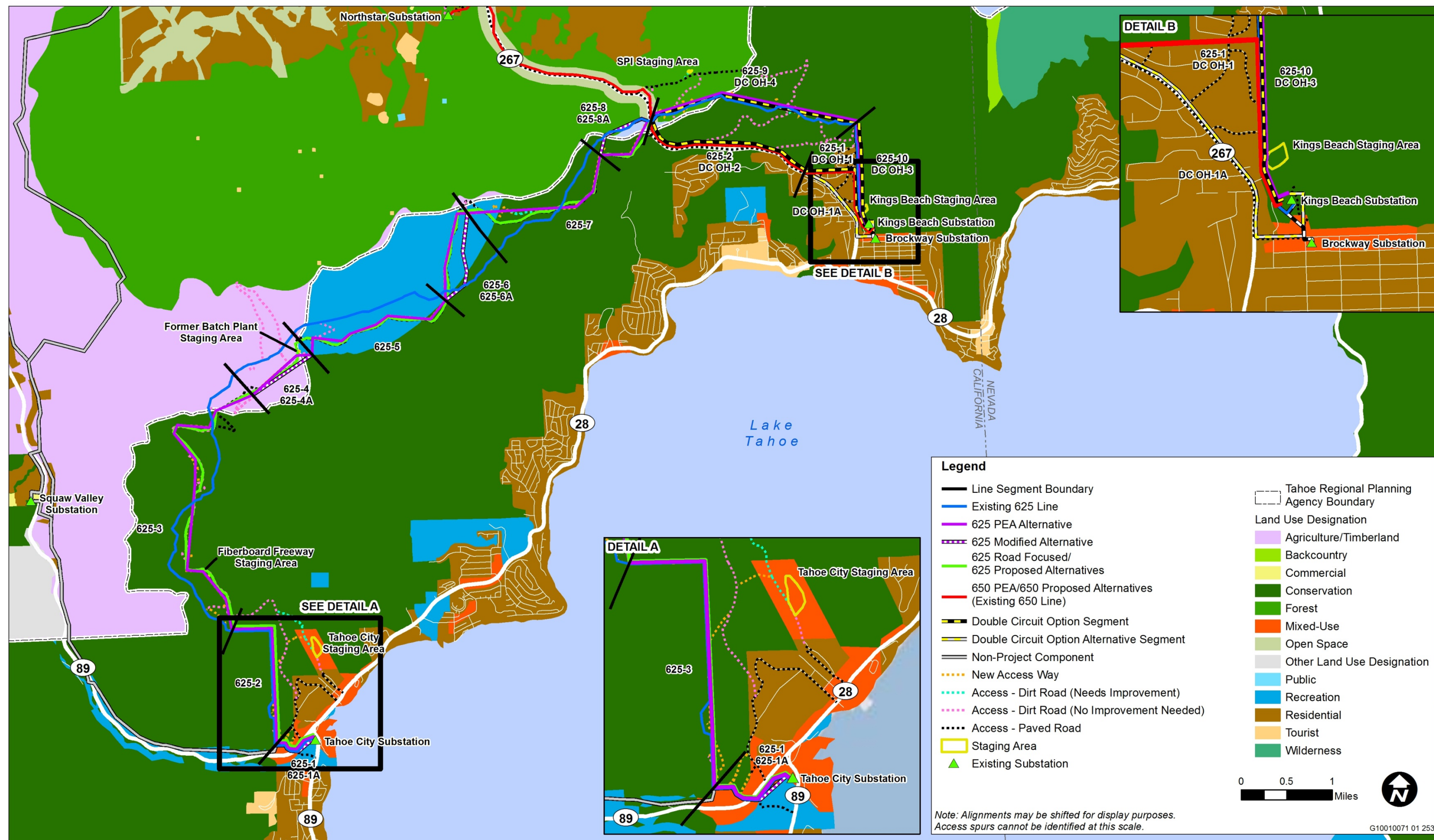
Exhibit 4.2-2

Land Use Jurisdiction Overview Map









Source: Data received from TRPA and Tri Sage 2012; adapted by Ascent Environmental in 2012

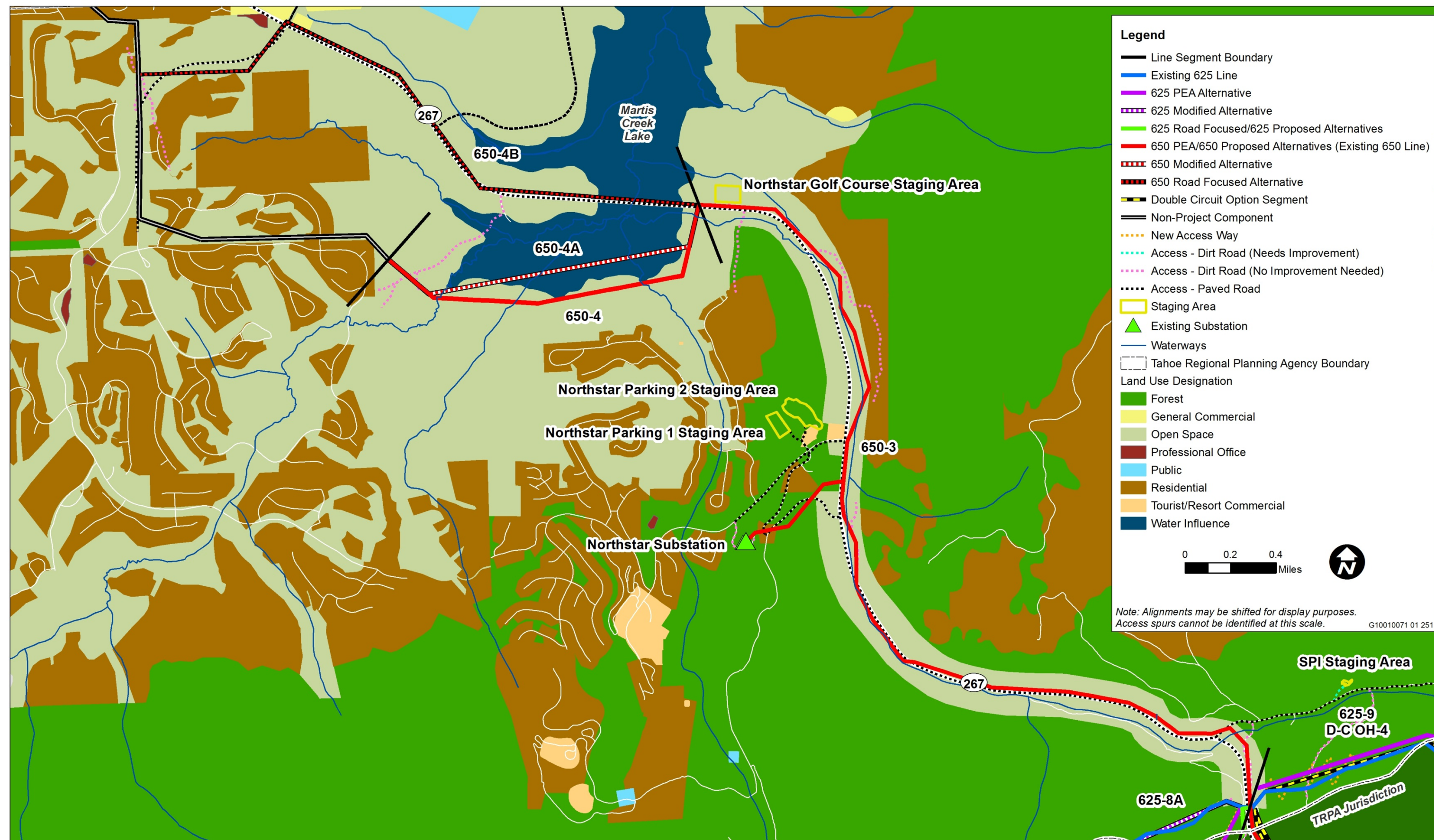
Exhibit 4.2-3

TRPA Land Use Designations Map







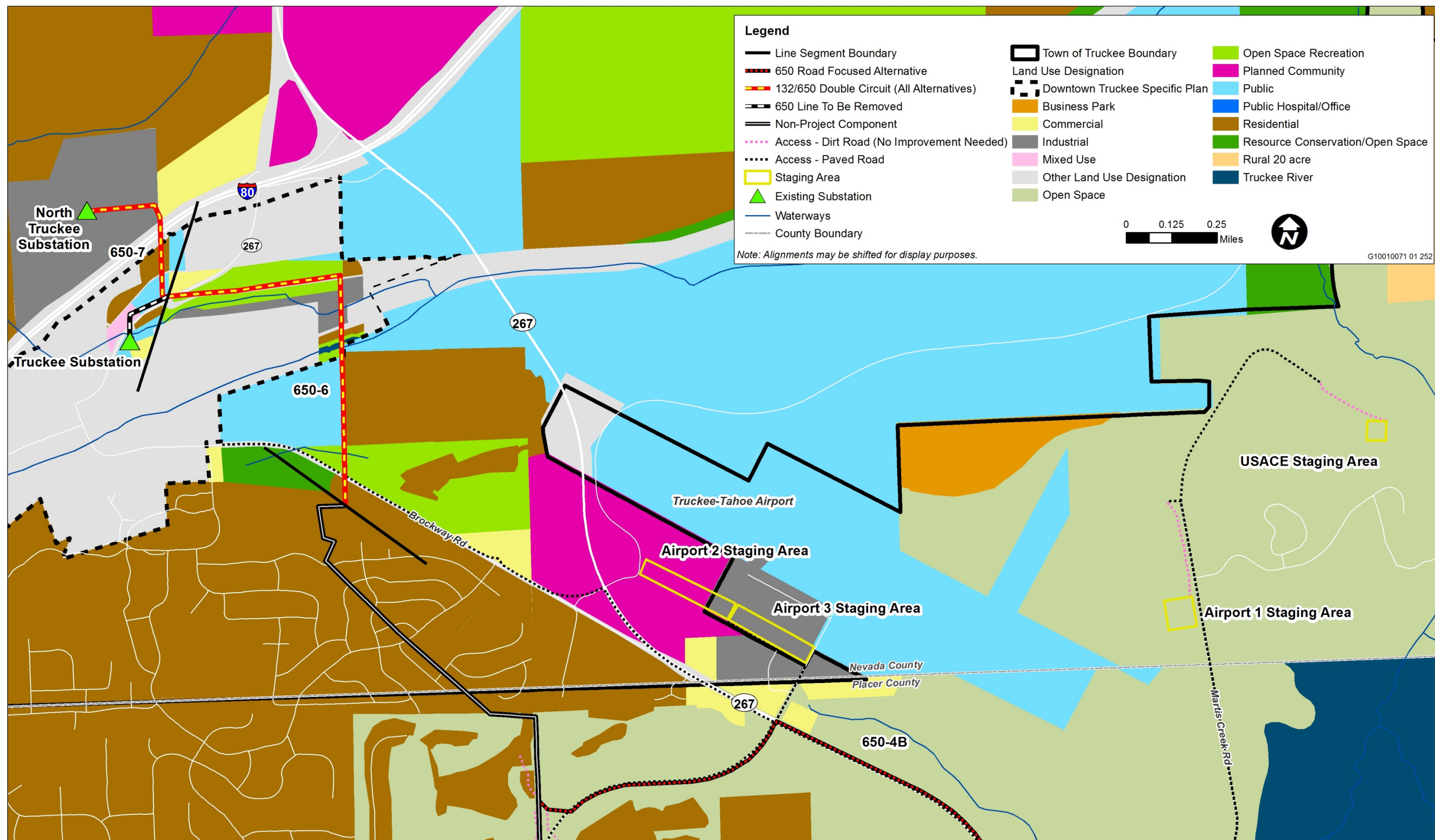


Source: Data received from Placer County, TRPA, and Tri Sage 2012; adapted by Ascent Environmental in 2012

Exhibit 4.2-4







Source: Data received from Placer County and Tri Sage 2012; adapted by Ascent Environmental in 2012

Exhibit 4.2-5



## Land Use Designations

The action alternatives for the proposed relocated 625 Line are offset from the existing 625 Line in various segments. In Segments 625-1 and 625-2, the alternatives are the same as the existing 625 Line, and share the same land use designations and allowable uses. In Segments 625-3 through 625-8, the four action alternatives vary in location from the existing line, but all fall within the same TRPA land use designations and allowable uses (and Placer County Land Use Designations and Zoning for the portions outside TRPA jurisdiction). The proposed alternative alignments for the 625 Line would not cross any new Placer County land use designations and zoning or TRPA land use designations or Plan Areas that are not already crossed by the existing 625 Line alignment and discussed in the previous section.

## EXISTING 650 LINE

### Land Uses

The portion of the 650 Line to be upgraded begins at the end of Segment 650-4 and heads south then east through the Martis Creek Lake National Recreation Area (see the discussion of the 132/650 Line Double-Circuit below for information on Segments 650-6 and 650-7). The line continues east then heads north, crossing SR 267 at the end of Segment 650-3. The line turns east, through an area generally known as the Martis Valley. Geographically, the area is primarily flat and lacks any significant development. The line then continues south and parallels SR 267 through Placer County for the remainder of Segment 650-3. The land surrounding SR 267 lacks significant commercial or residential development and is forested. The nearest housing or commercial development in Segment 650-3 is the Northstar-at-Tahoe Golf Course and Resort. In Segment 650-2, the line travels east, and passes through NFS land managed by the USFS, LTBMU before entering Kings Beach for the remainder of Segment 650-2 and all of Segment 650-1. In Segment 650-1, residential uses are clustered near the power line. The terminus of the existing 650 Line is at the Brockway Substation. The area around the Brockway Substation is located within a mixed industrial/commercial neighborhood, and is surrounded by single-family residences to the east, west, and south (Sierra Pacific 2010).

### Land Use Designations

The 650 Line traverses areas where land use is dictated by both Placer County and TRPA. From the end of Segment 650-4 to the end of Segment 650-2 (just past the Brockway Summit), the line is located within Placer County and is within the Martis Valley Community Plan Area. The general plan designation, as described in the community plan, is Open Space, which allows for low-intensity public and commercial recreational uses, as well as necessary public utility facilities.

From Brockway Summit to the terminus of the line at the Brockway Substation, the TRPA regulates land use in the Martis Peak Plan Area, the Kingswood East Plan Area, and the Kings Beach Industrial Community Plan Area. The TRPA Martis Peak PAS designates the land use as Conservation and the Kingswood East PAS designates the land use as Residential. The permitted uses include summer homes, and recreational uses such as campgrounds, snowmobile courses, and hiking trails. Power lines are allowed under the provisions for a Special Use (see Impact 4.2-1).

Additionally, Segments 650-3 and 650-4 pass through the Truckee Tahoe Airport Influence Area Boundary. The existing line passes through Compatibility Zones C, D, and E.

## PROPOSED 650 LINE

### Land Uses

Alternative 1 (PEA Alternative) and Alternative 4 (Proposed Alternative) would follow the path of the existing 650 Line, entirely, and therefore would have the same types of existing land uses as described for the existing 650 Line, above. Alternatives 2 (Modified Alternative) and Alternative 3 (Road Focused Alternative) would follow

the same alignment as the existing 650 Line in Segment 650-3, and therefore the same types of existing land uses are located within that segment.

Alternative 2 (Modified Alternative) would deviate from the path of the existing 650 Line in Segments 650-1, 650-2, and 650-4A. In Segments 650-1 and 650-2, the line would be double-circuited with the 625 Line Segments 625-10 D-C OH-3 and 625-9 D-C OH-4. Existing land uses are described above for the Existing 625 Line. The area surrounding the Kings Beach Substation is forested and contains dispersed recreation facilities. As the line leaves the station, it heads in a northerly direction, until the end of Segment 625-10 D-C OH-3. Along this section, there are single-family homes located west of the line, and forested NFS land to the east. At the start of Segment 625-9 D-C OH-4, the line turns west and spans SR 267 at approximately the start of Segment 625-8. In Segment 650-4A, the line would be located approximately 0.25 mile to the north of the existing 650 Line, and generally would include the same types of land uses.

Alternative 3 (Road Focused Alternative) would deviate from the path of the existing 650 Line in Segments 650-1 and 650-4B. Two options are included for Segment 650-1. One option routes the 650 Line along the existing 650 Line pathway, but would double-circuit it with the 625 Line, as Segment 650-1 D-C OH-1. Land uses for this option would be the same in this segment as for the existing 650 Line. The second option would route the 650 Line along SR 267, as Segment 650-1 D-C OH-1A (Alternative). The land uses along SR 267 in this area are similar to the existing 650 Line with single-family residences located along SR 267 and Speckled Avenue. In Segment 650-4B, the line is located approximately 0.5 mile to the north of the existing 650 Line, and joins the existing line in Segment 650-5 further north, passing closer to the Truckee Tahoe Airport.

## Land Use Designations

Alternative 1 (PEA Alternative) would follow the path of the existing 650 Line, entirely, and therefore would have the same types of land use designations as described for the existing 650 Line, above. Alternative 2 (Modified Alternative), Alternative 3 (Road Focused Alternative), and Alternative 4 (Proposed Alternative) would follow the same alignment as the existing 650 Line in Segment 650-3, and therefore the land use designations are the same.

Alternative 2 (Modified Alternative) would deviate from the path of the existing 650 Line in Segments 650-1, 650-2, and 650-4A. Under this alternative, Segments 650-1 and 650-2 would be double-circuited with 625 Line Segments 625-9 and 625-10 and would have the same land use designations as described for those segments above. In Segment 650-4A, the line would pass through land that is designated as Water Influence and Open Space. Additionally, Segments 650-3 and 650-4A would pass through the Truckee Tahoe Airport Influence Area Boundary, Compatibility Zones C, D, and E.

Alternative 3 (Road Focused Alternative) and Alternative 4 (Proposed Alternative) would deviate from the path of the existing 650 Line in Segment 650-1. Two options are included for Segment 650-1. One option would route the 650 Line along the existing 650 Line pathway, but in a double circuit with the 625 Line, as Segment 650-1 D-C OH-1. Land use designations in this segment are the same as for the existing 650 Line. The second option would route the 650 Line along SR 267, as Segment 650-1 D-C OH-1A. The TRPA land use designation in this segment is Residential. Under Alternative 3 (Road Focused Alternative), the line in Segment 650-4B would pass through land that is designated by Placer County as Water Influence and Open Space. Additionally, Segments 650-3 and 650-4B of Alternative 3 pass through the Truckee Tahoe Airport Influence Area Boundary, Compatibility Zones B1, C, D, and E.

## 132/650 LINE DOUBLE-CIRCUIT

### Land Uses

The segment of the existing 132 Line (Segment 650-7) that would be upgraded to accommodate a double circuit with the 650 Line, and the stretch that is already double-circuited but would be upgraded to accommodate a 120 kV capacity 650 Line (Segment 650-6), are located within the Town of Truckee. The 132 Line originates at the North

Truckee Substation. The line runs east along Pioneer Trail Road and then turns south, crossing I-80. In this area, the line is surrounded by medium-density commercial and industrial developments, such as tire shops, repair businesses, and general office uses. The line then turns east and travels parallel to Glenshire Drive. This area contains many undeveloped parcels, as well as low-intensity industrial uses and materials storage yards. The 132/650 Line then turns south and crosses the Truckee River. The alignment continues along the easternmost edge of the Truckee River Regional Park, which includes ball fields, an amphitheater, a skate park, and rodeo grounds, among other recreation opportunities. Adjacent to this portion of the line on the west side of the ROW are residential uses (multi-family units). The line continues south through private open space to its termination at the intersection of Marc Trail and Chris Course at the northwest corner of the Village Green Mobile Home Park. In this area, the line spans the rear of a hotel parking lot then travels parallel to the backyards of five units at Village Green Mobile Home Park. Vacant land is located to the west of the line in this area (Sierra Pacific 2010).

## **Land Use Designations**

The 132/650 Line is entirely within the Town of Truckee and land uses are dictated by the Town of Truckee General Plan. Portions of the alignment, as it travels along Glenshire Drive and near downtown Truckee (Segments 650-7 and 650-6), are also located within the Downtown Specific Plan Area. From the beginning of the line at the North Truckee Substation to Glenshire Drive, the area is comprised of commercial and industrial uses consistent with the general plan designation of Industrial (I). As the alignment travels south, the land is General Plan-designated Residential and Public. The line travels east along Glenshire Drive and then south, crossing the Truckee River. This area is designated as Open Space Recreation, Industrial, Public (Truckee River Regional Park), and Residential. The line continues south crossing Brockway Road then continues to the termination of the line. The line passes through parcels that are designated Residential in the General Plan.

Additionally, Segments 650-6 and 650-7 pass through the Truckee Tahoe Airport Influence Area Boundary, Compatibility Zones C and D.

## **NORTHSTAR TAP/FOLD**

### **Land Uses**

The Northstar Tap/Fold begins at the Northstar Substation, located at the end of Stable Road in the Northstar-at-Tahoe Resort area. This 0.5-mile-long section of line generally traverses forested areas adjacent to an existing dirt road. There is limited commercial development located to the north. In addition, a horse stable and riding ring are crossed by the existing Northstar Tap near the line's terminus at the Northstar Substation (Sierra Pacific 2010).

### **Land Use Designations**

Land use along the Northstar Fold is located in Placer County. The parcels traversed by the line are designated Forest, Residential, and Open Space.

## **BROCKWAY SUBSTATION**

### **Land Uses**

The Brockway Substation is located in Kings Beach at the intersection of Speckled Avenue and Deer Street. This substation is the current terminus of the existing 650 Line. The substation is located in a mixed-use neighborhood, with an industrial use located to the east of the substation and single-family residences located to the north, west, and south (Sierra Pacific 2010).

### **Land Use Designations**

Land use in and around the Brockway Substation is regulated by TRPA and guided by the Kings Beach Industrial Community Plan, which sets forth land use designations and permissible uses. Land uses in this area are

designated as Commercial/Public Service. Power lines and substations are allowed under the Special Use provisions of the Kings Beach Industrial Community Plan (see Impact 4.2-1).

## **NORTHSTAR SUBSTATION**

### **Land Uses**

The Northstar Substation is located on Northstar Drive in Placer County. This substation is the current termination point for the Northstar Tap, which would be upgraded to a fold as part of the project. The substation is surrounded by forested area to the north, south, and west. A riding stable (Northstar Stables) is located to the northeast of the substation. Approximately 25 single-family residences are located 450 feet west of the Northstar Substation (Sierra Pacific 2010).

### **Land Use Designations**

Land use around the substation is designated by the Placer County General Plan as Forest and has a zoning designation is FOR-B-X-160. The FOR zoning classification designates the area as Forest and the B-X is a combining district designation that defines the minimum buildable lot size, in this case 160 acres. Allowed uses in the FOR-B-X zoning district include forestry and timber-related uses, grazing, and recreation. Power lines and public utility facilities are allowed uses.

## **SQUAW VALLEY SUBSTATION**

### **Land Uses**

The Squaw Valley Substation is located at the intersection of Squaw Valley Road and SR 89. A small, commercial center is located to the east of the site, Squaw Valley Academy is located to the southwest, and forested land is located to the northwest and north (Sierra Pacific 2010).

### **Land Use Designations**

Land use surrounding the substation is designated Conservation Preserve and zoned Forest Recreation by the Placer County General Plan. Allowed uses include public utility structures.

## **TAHOE CITY SUBSTATION**

### **Land Uses**

The Tahoe City Substation is located near the intersection of Westlake Boulevard/SR 89 and Tahoe Tavern Road. This substation is the current termination point for the existing 625 Line. The Bridgetender restaurant is located to the north of the Tahoe City Substation and forested, undeveloped parcels are located to the south. The Truckee River and the 64 Acre Recreation Site is located to the west and commercial and tourism-related uses are located to the east.

### **Land Use Designations**

The substation site is within the jurisdiction of the TRPA and is subject to the land use regulations of the Tahoe City Community Plan. The Community Plan divides the greater Tahoe City area into five Special Areas that are characterized by their location and level and type of development. The Tahoe City Substation site is classified as Commercial/Public Service and is located in Special Area 3. Power lines and substations are allowed under the Special Use provisions of the Community Plan (see Impact 4.2-1).

## TRUCKEE SUBSTATION AND NORTH TRUCKEE SUBSTATION

### Land Uses

The Truckee Substation serves as one terminus of the 650 Line. The substation is located near the intersection of Donner Pass Road and Church Street in the Town of Truckee. The Truckee Substation site is relatively flat and is surrounded by industrial uses on all sides (Sierra Pacific 2010).

The North Truckee Substation is located on Pioneer Trail Road, just south of Comstock Drive, and would serve as a terminus of the 650 Line upon completion of the project. The substation is surrounded by commercial and industrial uses to the south and east. A cement manufacturing plant is located to the north and undeveloped forested parcels are located to the west (Sierra Pacific 2010).

### Land Use Designations

The Truckee Substation is designated as Public by the Town of Truckee General Plan and is zoned Public Facilities (PF). Auxiliary uses required to meet the needs of the town, such as public parks and other facilities, schools, and government offices, are allowed. Electric utility facilities are allowed with a Use Permit.

The North Truckee Substation is located within the Town of Truckee. The Town of Truckee General Plan designates the land as Industrial and the zoning as Manufacturing/Industrial (M). Allowed uses include processing, distribution, and storage facilities. Electric utility facilities are allowed in the M zoning district with a Use Permit.

## KINGS BEACH SUBSTATION

### Land Uses

The Kings Beach Substation is located inside the Kings Beach Diesel Generation Facility property, just north of the intersection of Speckled Avenue and Deer Street in Kings Beach. The substation is accessed via a private road north of Deer Street and is entirely surrounded by undeveloped and forested parcels (Sierra Pacific 2010).

### Land Use Designations

The Kings Beach Substation is located on an approximately 20-acre parcel within TRPA jurisdiction. The site is located partially within the Kings Beach Industrial Community Plan, and partially within the Martis Peak Plan Area. The existing substation and diesel generating facility are located within the Martis Peak Plan Area. The land use classification for the site as designated in the Martis Peak PAS is Conservation and the list of permissible uses per the PAS includes camping, off-road vehicle uses, public services, timber harvesting, and summer homes. Power lines are allowed under the Special Use provisions of the PAS. However, "Public Utility Center," the use definition that includes substations, is not an allowable use as defined in the PAS. See Impact 4.2-1 for a discussion of this issue.

## STAGING AREAS

To support construction, the applicant has identified 12 possible staging areas. These staging areas are depicted on Figures 4.2-2 through 4.2-5 and are described further in the following paragraphs. The same staging areas are being considered for each action alternative, and all of the staging areas evaluated may not be required. The Northstar Golf Course and SPI staging areas would only be used if an agreement can be reached with the landowner. Additionally, only one of the Airport 1, Airport 2, Airport 3, and USACE staging areas would be used, if an agreement can be reached with a landowner. All four are evaluated because it is unclear at this time which, if any, might ultimately become available.

### Tahoe City

The proposed Tahoe City Staging Area is located approximately 1 mile north of the Tahoe City Substation and is accessed by an existing dirt access road from Jackpine Street in Tahoe City. This staging area would be used as a



helicopter landing zone and for material storage and staging. This approximately 600-foot by 250-foot area is previously disturbed and covered with gravel. The primary vegetation type of the surrounding area is mixed conifer woodland. The site was used as a staging area and helicopter landing zone for the recent 629 Line upgrade (line extending along SR 89 from Squaw Valley to Tahoe City). Use of the site for staging would require installation of temporary fencing, but no other improvements would be required to prepare this staging area for use. The site is located in the Tahoe City Industrial Plan Area. The applicable PAS classifies the land as Commercial/Public Service and permissible uses include storage yards, warehousing, building materials and hardware storage, and industrial services.

### **Fiberboard Freeway**

The proposed Fiberboard Freeway Staging Area is located approximately 200 feet east of the proposed rerouted 625 Line alignment near Segment 625-3 and is accessed from the Fiberboard Freeway. This staging area would be used to store and stage material and equipment, and for vegetation removal related to the project. This approximately 200-foot by 100-foot area is previously disturbed but has some vegetative cover.

The staging area is located on lands where the allowed uses are designated by TRPA within the Burton Creek Plan Area. The staging area is designated Conservation, which allows for a range of low to moderate uses, including timber harvesting, wildlife management, grazing of livestock, and recreation. A staging area is an allowed use by the TRPA provided it is temporary, would not contribute to stormwater pollution, and would not contribute to visual impacts.

### **Former Batch Plant**

The proposed Former Batch Plant Staging Area is located just off the Fiberboard Freeway near Segment 625-4. This staging area would be used to store and stage material and equipment, and may also be used for logging activities related to the project. This approximately 120-foot by 80-foot area is previously disturbed and supports little natural vegetation. This staging area is located within the jurisdiction of the TRPA and the land use designation and allowed uses are described in the Northstar PAS. The site is designated Recreation, and utility facilities, timber management, and accessory structures are allowed uses. A staging area is an allowed use by the TRPA, provided the staging area is temporary in nature, is constructed with the proper BMPs to avoid increased stormwater pollution, and has no visual impacts.

### **Kings Beach**

The Kings Beach Staging Area is located just north of the Kings Beach Substation and is accessed using an existing dirt access road located at the end of Canterbury Drive. This location was formerly used as a landfill and as a result, has a previously disturbed area that measures approximately 300 feet by 300 feet. This staging area is located within the jurisdiction of the TRPA and the land use designation and allowed uses are described in the Martis Peak PAS. The Martis Peak PAS designates the land as Conservation and the list of permissible uses include camping, off-road vehicle uses, public services, timber harvesting, and summer homes. A staging area is allowed by the TRPA provided the staging area is temporary in nature, is constructed with the proper BMPs to avoid increased stormwater pollution, and has no visual impacts.

### **SPI**

The Southern Pacific Industries (SPI) Staging Area would be used for material and equipment storage, as well as equipment staging. Most of this site has been previously disturbed. Use of the 0.6 acre site would require vegetation clearing, improvement to an existing dirt access road and new access way, and installation of temporary construction fencing. The staging area would be located north of Segment 625-9/DC OH-4 and east of 650-3 on land designated Forest in the Martis Valley Community Plan and zoned Forestry by Placer County.

### **Northstar Parking 1**

The 3.5 acre Northstar Parking 1 staging area would be located in Northstar-at-Tahoe's paved Castle Peak Park and Ride lot off of Northstar Drive on land designated Forest in the Martis Valley Community Plan and zoned Forestry by Placer County.



## **Northstar Parking 2**

The Northstar Parking 2 staging area would also be located in Northstar-at-Tahoe's Castle Peak Park and Ride lot, east of the Northstar Parking 1 staging area on land designated Forest in the Martis Valley Community Plan and zoned Forestry by Placer County.

## **Northstar Golf Course**

The Northstar Golf Course Staging Area is located just north of SR 267 and the Northstar Golf Course, and is accessed by a dirt road located approximately 1.4 miles southeast of Martis Creek Road. This approximately 300-foot by 300-foot staging area would be used to store materials and stage equipment. The site is located within Placer County and is owned by the Truckee Tahoe Airport District. The site is General Plan-designated Open Space and is zoned O. Allowed uses include storage as an accessory use.

## **Airport 1**

This approximately 4 acre staging area would be located on airport property in Nevada County, immediately west of Martis Creek Road. Nevada County has designated this area as Open Space. Low intensity land uses consistent with the purpose of providing protected open space are permitted in this district. This staging area would be used as a helicopter landing zone and for material storage and equipment staging.

## **Airport 2**

The Airport 2 Staging Area would be located on undeveloped property northeast of Segment 650-4 and SR 267. The staging area would be south of the airport and parallel to the runway. This approximately 8 acre staging area would be used as a helicopter landing zone and for material storage and equipment staging. The Airport 2 Staging Area would be partially located on land designated Planned Community in the Town of Truckee, and partially on land designated Industrial by Nevada County. Staging areas are consistent with Nevada County's Industrial districts.

## **Airport 3**

The Airport 3 Staging Area would be located on undeveloped airport property in Nevada County. Nevada County has designated the area as Industrial. This staging area would be used as a helicopter landing zone and for material storage and equipment staging. Staging areas are consistent with Nevada County's Industrial districts.

## **USACE**

The USACE staging area would be located on less than 2 acres of land designated as Open Space in Nevada County. Low intensity land uses consistent with the purpose of providing protected open space are permitted in this district. The entire site has been previously disturbed. This staging area would be used as a helicopter landing zone and for material storage and equipment staging.

## **4.2.3 ENVIRONMENTAL CONSEQUENCES AND RECOMMENDED MITIGATION MEASURES**

### **SIGNIFICANCE CRITERIA**

#### **TRPA CRITERIA**

The "Land Use" criteria from the TRPA Initial Environmental Checklist (IEC) were used to define the land use topics for evaluation. As described in Section 4.1.1, the purpose of the TRPA IEC is primarily to determine if an EIS is required and to help define the topics to be evaluated in greater detail. While many of the IEC checklist questions are conducive for use as significance criteria (that is, they include a defined standard, qualitative or quantitative), many are not, such as those for land use. The checklist asks whether the project would result in the following conditions.

- ▲ Include uses which are not listed as permissible uses in the applicable Plan Area Statements and adopted Community Plans?
- ▲ Expand or intensify an existing non-conforming use?
- ▲ Propose uses inconsistent with applicable goals and policies of the TRPA Regional Plan, and applicable Plan Area Statements and Community Plans?

The analysis of these issues herein identifies whether these conditions of plan compliance or non-compliance would occur under the action alternatives, but also assesses whether and to what degree the alternatives would result in incompatible land uses or land use conflicts.

## NEPA CRITERIA

An environmental document prepared to comply with NEPA must consider the context and intensity of the environmental effects that would be caused by or result from the proposed action. Under NEPA, the significance of an effect is used solely to determine whether an EIS must be prepared. The factors that are taken into account under NEPA to determine the significance of an action in terms of the context and the intensity of its effects are encompassed by the TRPA and CEQA criteria used for this analysis.

## CEQA CRITERIA

In accordance with Appendix G of the State CEQA Guidelines, an alternative was determined to result in a significant impact related to land use if it would:

- ▲ physically divide an established community;
- ▲ conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
- ▲ conflict with any applicable habitat conservation or natural community conservation plan.

## ISSUES DISMISSED FROM FURTHER EVALUATION

To physically divide an established community, a project must introduce or expand an element that creates a hindrance to safe and efficient movement throughout the community. An example of a type of project that could physically divide an established community is a new highway or railroad that passes through a community. These types of projects may hinder safe pedestrian and bicycle crossings and create a real or perceived disconnection in the community. Utility lines are not inherently divisive features, as they are either located overhead or below ground, and do not hinder travel in a community. Additionally, these features are predominant in developed areas. Proposed access ways that would accommodate access to the power poles for inspection and maintenance purposes would be located in forested areas and would not divide an established community (Exhibits 3-4a, 3-4b, 3-4c, and 3-4d). The proposed substation improvements would occur within the boundaries of existing facilities, and as such, these improvements would not create a hindrance to safe and efficient movement through any community affected by the project. Because the project components associated with all of the action alternatives are not of the nature that would divide an established community or restrict safe and efficient movement, this significance criterion is not addressed further in this section.

As discussed in Section 4.7, Biological Resources, none of the action alternatives would be constructed within an area covered under an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state conservation plan. Therefore, project implementation would not conflict with the provisions of an adopted conservation plan and this issue is not evaluated further.

# METHODS AND ASSUMPTIONS

The land use analysis involved a review of various federal, state, city, county, and regional land use plans, policies, and regulations. Land use and policy information from Placer County, TRPA, and Town of Truckee official websites was reviewed. The land use analysis also included a review of applicable general plan maps covering the project area. Land use-related Geographic Information System (GIS) data was obtained from the Placer County Planning Department, TRPA, and the Town of Truckee, and was used to verify jurisdictional information collected. A review of USACE, USFS, and California State Parks plans was performed to confirm jurisdictional boundaries and identify applicable management practices and standards.

## ALTERNATIVE 1 – PEA ALTERNATIVE

### DIRECT AND INDIRECT IMPACTS

<b>IMPACT 4.2-1 (Alt.1)</b>	<p><b>Introduce uses not listed as permissible in the PAS or Community Plan, expand or intensify an existing non-conforming use such that substantial land use conflicts or incompatibility would occur.</b> All components of Alternative 1 (PEA Alternative) are listed as permissible in the applicable PASs and Community Plans, except the existing distribution underbuild on the 625 Line within the Lower Truckee (003) PAS and the proposed upgrade of the Kings Beach Substation in the Martis Peak (019) PAS. The existing distribution underbuild in the Lower Truckee (003) PAS is a non-conforming use, but the relocation of the underbuild to the upgraded power poles would neither expand nor intensify this use, because the distribution underbuild would simply be moved to the new poles—the capacity, conductor, and related infrastructure would not be altered. The proposed amendment to the Martis Peak (019) PAS would add “Public Utility Center” to the list of permissible uses, would accommodate the expanded substation in the most appropriate location (in the location of the existing substation and more distant from the residential area than would otherwise be allowed), and would allow the decommissioning of the Brockway Substation. The proposed access ways would be accessory to the power lines.</p> <p>Alternative 1 (PEA Alternative) includes uses that are listed as both “allowable” and “special” by TRPA Code. The findings in Subsection 21.2.1 of the TRPA Code can be made for those project components defined as special uses in the applicable PAS/Community Plan. Therefore, because Alternative 1 (PEA Alternative) components would be permissible with the adoption of the amendment to the Martis Peak (019) PAS and necessary special use findings could be made, Alternative 1 (PEA Alternative) would not expand or intensify an existing non-conforming use. This would be a <b>less-than-significant</b> impact.</p>
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All components of Alternative 1 (PEA Alternative) are listed as permissible in the applicable PASs and Community Plans, except the existing distribution underbuild on the 625 Line within the Lower Truckee (003) PAS and the proposed upgrade of the Kings Beach Substation in the Martis Peak (019) PAS to allow the decommissioning of the Brockway Substation. The regulations that govern permissible uses are contained in Chapter 21 of the TRPA Code and summarized above in Section 4.2.1, Regulatory Setting.

Each of the project components falls within a permissible use category defined in Table 21.4-A, List of Primary Uses and Definitions, in Chapter 21 of the TRPA Code. The project components and their respective primary use category are listed in Table 4.2-1 below. Note that access ways are defined as accessory uses, as described below, and as such are not listed in Table 4.2-1.

Table 4.2-1 Project Components and Respective Primary Use Category	
Project Component	Chapter 21 Primary Use Category
Substation	Public Utility Center
Power Line	Pipelines and Power Transmission
Underbuild (Distribution or Communications Lines)	Transmission and Receiving

Components of Alternative 1 (PEA Alternative) are located within nine PASs and two Community Plans. Each PAS is assigned one of five land use classifications: conservation, recreation, residential, commercial and public service, and tourist accommodation. Each land use classification specifies categories of permissible uses and identifies them as either an “Allowable” (A) or “Special” (S) use. Any use not listed is considered either prohibited or non-conforming. Table 4.2-2 lists the applicable PASs and Community Plans and identifies whether the relevant primary use categories for the project are permissible, as well as whether they are allowable or special uses. The existing substations and proposed substation improvements within the Lake Tahoe Basin are limited to parcels within the Kings Beach Industrial Community Plan (Brockway Substation); Martis Peak (019) PAS (Kings Beach Substation); and the Tahoe City Community Plan (Tahoe City Substation). As such, Table 4.2-2 only identifies permissible uses for Public Utility Centers in these planning documents.

Table 4.2-2 Permissible Uses for Relevant Project Components by Plan Area Statement/Community Plan					
Plan Area Statement/ Community Plan		Land Use Classification <sup>1</sup>	Primary Use Categories		
			Public Utility Center	Pipelines and Power Transmission	Transmission and Receiving Facilities
N/A	Tahoe City Community Plan (Special Area #3)	Commercial/Public Service	S	S	S
174	64 Acre Tract	Recreation	S	S	S
003	Lower Truckee	Recreation	S	S	N/A <sup>2</sup>
004	Burton Creek	Conservation	N/A	S	S
001B	Tahoe City Industrial	Commercial/Public Service	A	S	S
015	North Star	Recreation	N/A	S	S
013	Watson Creek	Conservation	N/A	S	S
019	Martis Peak	Conservation	N/A <sup>2</sup>	S	S
025	Kingswood East	Residential	S	S	S
027	Woodvista	Residential	S	S	S
N/A	Kings Beach Industrial Community Plan	Commercial/Public Service	S	A	A

Abbreviations: A = Allowable, S = Special, N/A = Not Applicable/Prohibited Use

<sup>1</sup> Each PAS is assigned one of five land use classifications: conservation, recreation, residential, commercial and public service, and tourist. Classification descriptions are contained in Section 11.6.2 of the TRPA Code.

<sup>2</sup> The Kings Beach Substation and the underbuild on the existing 625 Line are legally existing non-conforming uses.

Source: TRPA and Placer County 1996a, 1996b; TRPA 2012.

Table 4.2-2 shows that the proposed uses that are permissible are classified as either allowable or special uses with the exception of the upgrade of the Kings Beach Substation in the Martis Peak (019) Plan Area and the underbuild on the existing 625 Line in the Lower Truckee (003) Plan Area. As defined in Subsection 21.2.1 of the Code, allowed uses are appropriate for the specified area, may be permitted, and assumed to be compatible with the direction of the Regional Plan and surrounding land uses. Special uses, however, require that the findings under Subsection 21.2.2 of the Code be made by TRPA. The proposed uses subject to special use findings are not new uses, but rather upgrades to existing uses. As described in Chapter 3, Project Alternatives, the findings supporting these special uses are incorporated into a separate Findings document for consideration by the TRPA Governing Board and are summarized as follows.

- ▲ *Adding public utility centers as a permissible use in PAS 019 would make the existing substation located on the diesel generator property a conforming use, and would allow transfer of the functions currently provided by the Brockway Substation in the Kings Beach Industrial Community Plan to this property, thereby allowing its decommissioning.*
- ▲ *Reconstruction of the substation would result in the consolidation of electrical facilities within one secure compound area, out of view from the general public.*
- ▲ *The proposed PAS amendment is consistent with the goals of the Land Use and other elements of the TRPA Goals and Policies Plan which does not contain any specific restrictions on placement of public utility centers in conservation plan areas, such as PAS 019. A similar public utility center facility (a substation) exists in PAS 095 (Trout/Cold Creek) located on the south shore of Lake Tahoe near the old Meyers landfill site. PAS 095 is also a Conservation Plan Area, and Public Utility Centers are listed as a special use in PAS 095.*
- ▲ *Based on the Initial Environmental Checklist prepared for the plan area statement amendment, there are no significant environmental impacts associated with the new land use, and no impacts that would exceed environmental threshold carrying capacities.*
- ▲ *Adding a new public service land use to the Plan Area would not diminish the standards for air and water quality because the amendment only affects an electrical distribution facility where water quality and air quality standards are currently applicable. There are no additional impacts to air or water quality associated with the proposed amendment, and all future projects will be required to meet appropriate air and water quality development standards.*
- ▲ *The proposed PAS amendment would not affect the ability of the Regional Plan to achieve and maintain the thresholds, as documented in the Initial Environmental Checklist and this EIS/EIS/EIR.*
- ▲ *The proposed amendment would be limited to developed, private property, which contains existing regional-serving electrical facilities within a secure, fenced compound. Most of the area affected by the amendment is high capability land and the proposed plan area amendment would prohibit new or expanded public utility center facilities on low capability land. The affected property is immediately adjacent to the Kings Beach Industrial Community Plan Area and is not isolated from other development. For security and public safety reasons, the affected property is closed to the public and is not suitable for recreation, non-intensive agricultural, or resource management uses for this reason.*
- ▲ *The proposed PAS amendment would add a new public service use (public utility centers) to a Conservation Plan Area and would not expand an urban boundary.*
- ▲ *The proposed amendment corrects an error that occurred at the time of adoption, specifically; the adopted PAS does not identify the existing, extensive, and essential regional electrical distribution system that exists within the boundaries of the Plan Area.*
- ▲ *The amendment is a public health and safety measure and there is no reasonable alternative to plan area amendment because: 1) it would consolidate electrical facilities onto one property, reducing the potential for trespass and vandalism; 2) the electrical compound would be much less visible to the public and less of a potentially attractive hazard; and 3) the construction of an expanded Kings Beach Substation within the boundaries of the Kings Beach Industrial Community Plan (and therefore in close proximity to nearby residences) is unreasonable because a superior, more secure site is available that would consolidate electrical facilities onto one secure property, thereby improving efficiency.*

## KINGS BEACH SUBSTATION

### Martis Peak (019) Plan Area Statement Amendment

As described in Chapter 3, Project Alternatives, the proposed amendment to the Martis Peak (019) PAS would add “Public Utility Center” to the list of permissible uses and would allow construction of the expanded substation in the same location as the existing substation, which is approximately 430 feet north of the existing

fence line and approximately 480 feet from the nearest residence (Exhibit 4.2-6). The substation rebuild would include 120 kV switches, two 120 kV/14.4 kV transformers, and 14.4 kV switchgear, plus the four relocated 14.4 kV distribution feeders which are currently above ground and would be placed underground, as described in Chapter 3, Project Alternatives. The proposed substation rebuild, with these elements, would allow removal of the existing equipment at the Brockway Substation, located within the residential neighborhood between Speckled Avenue and Cutthroat Avenue, just east of Deer Street. The determination of future site use has not yet been determined, but ownership would remain with CalPeco.

Absent the PAS amendment, the proposed Kings Beach substation improvements could be considered an upgrade and intensification of a legally existing non-conforming use, because of the increase in coverage at the site associated with the proposed improvements (see Section 4.5, Geology, Soils, Land Capability and Coverage). With the PAS amendment, proposed improvements at the Kings Beach Substation site would be consistent with the listed permissible uses. TRPA Governing Board adoption of the proposed PAS amendment requires TRPA to make the findings under Subsection 11.8.4.B of the TRPA Code.

### **Otherwise Permissible Kings Beach Substation Options**

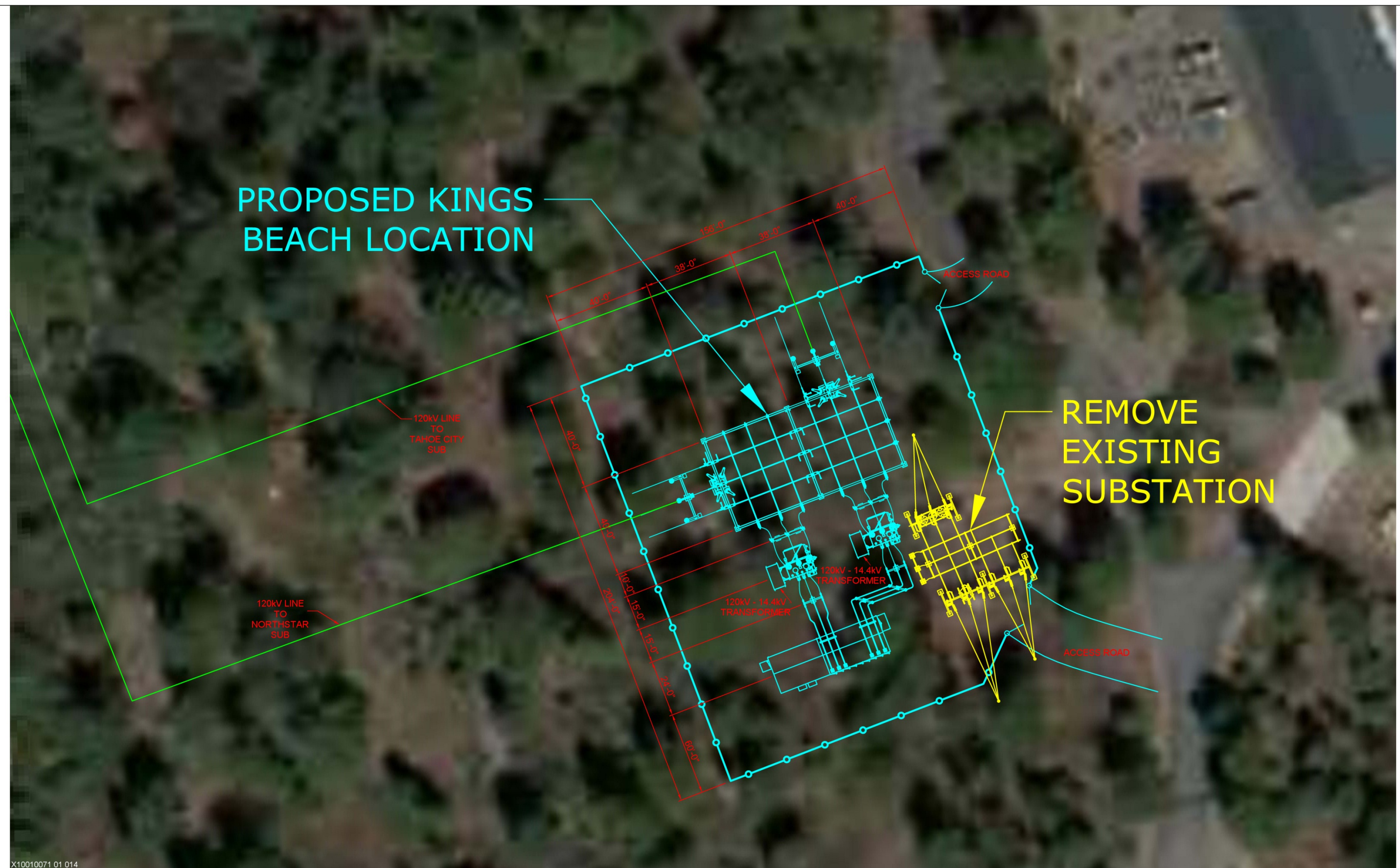
As described in Chapter 3, Project Alternatives, the findings necessary to support a proposed PAS amendment include a finding that there are no reasonable alternatives. Consistent with this requirement, two alternative configurations for the Kings Beach Substation that would not require amendment of the Martis Peak (019) PAS were considered. These two alternatives would involve locating the Kings Beach Substation within the Kings Beach Industrial Community Plan Area, where “Public Utility Center”—the use category that includes substations—is a permissible use under the special use provisions of the Community Plan. The Kings Beach Industrial Community Plan Area is generally bounded by the northern boundary of the block of parcels north of Speckled Avenue, Cutthroat Avenue to the south, Secline Street to the west, and a few parcels of Coon Street to the east. It includes the southernmost portion of the Kings Beach Substation area, within the fence line at the northern terminus of Deer Street.

Under the first option, Option 1, the Kings Beach Substation facilities would be located in the Kings Beach Industrial Community Plan and a new access way would be located in the Martis Peak Plan Area. The substation rebuild, including the 120 kV switches, two 120 kV/14.4 kV transformers, and 14.4 kV switchgear would be constructed on parcel 090-041-006 (Exhibit 4.2-7). This parcel is owned by CalPeco and is within the Kings Beach Industrial Community Plan Area. The parcel would require alteration and expansion of the access roads to allow adequate access to the facility. With this option, the Brockway Substation would be decommissioned. To accommodate this, the footprint of the substation would be larger to accommodate the distribution functions that would be redirected from Brockway. Because of parcel size limitations and the addition of the functions currently served by Brockway, the substation layout would require the needed access way improvements to be outside the parcel, within the Martis Peak Plan Area (on parcel 090-090-029) and subject to the Martis Peak PAS. Although the new access road might be permissible as an accessory use, the Martis Peak PAS does not otherwise permit the construction of new roads.

This configuration would physically move the substation approximately 300 feet to the south (relative to the proposed option), and closer to the residences located south of the substation, approximately 50 feet from the nearest residence at the closest approach. The facility would be located just inside the fence line of the CalPeco property, and would be much more visually prominent from the end of Deer Street and parcels south, including residential properties, than from rebuild in its existing location. In addition, locating the substation closer to the neighborhood may render the corona noise (the low frequency hum and occasional cracking sound) audible to surrounding businesses and residences. Finally, as described in Chapter 3, Project Alternatives, CalPeco must locate certain equipment towards the interior of the property for the purposes of magnetic field reduction. Parcel number 090-041-006 is not large and even an interior location of certain equipment will result in the equipment being only 50 feet from the nearest residence.

A second option, Option 2, also involves constructing the substation on parcel 090-041-006, but would not have an access road through the Martis Peak Plan Area (Exhibit 4.2-8). Instead, the access way would be completely





X10010071 01 014

Source: adapted by Ascent Environmental 2013

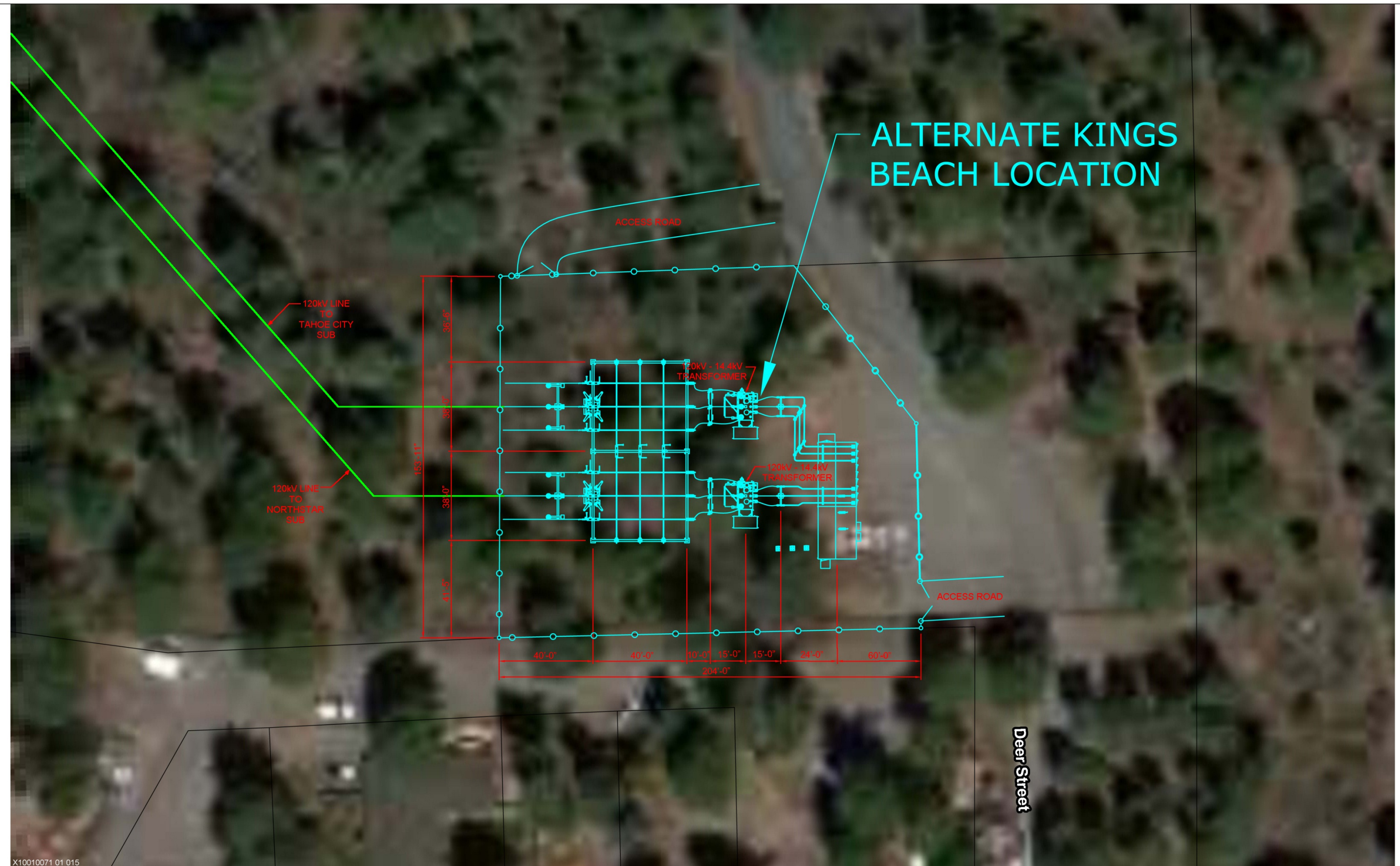
Exhibit 4.2-6

Kings Beach Substation – Proposed Configuration









X10010071 01 015

Source: adapted by Ascent Environmental 2013

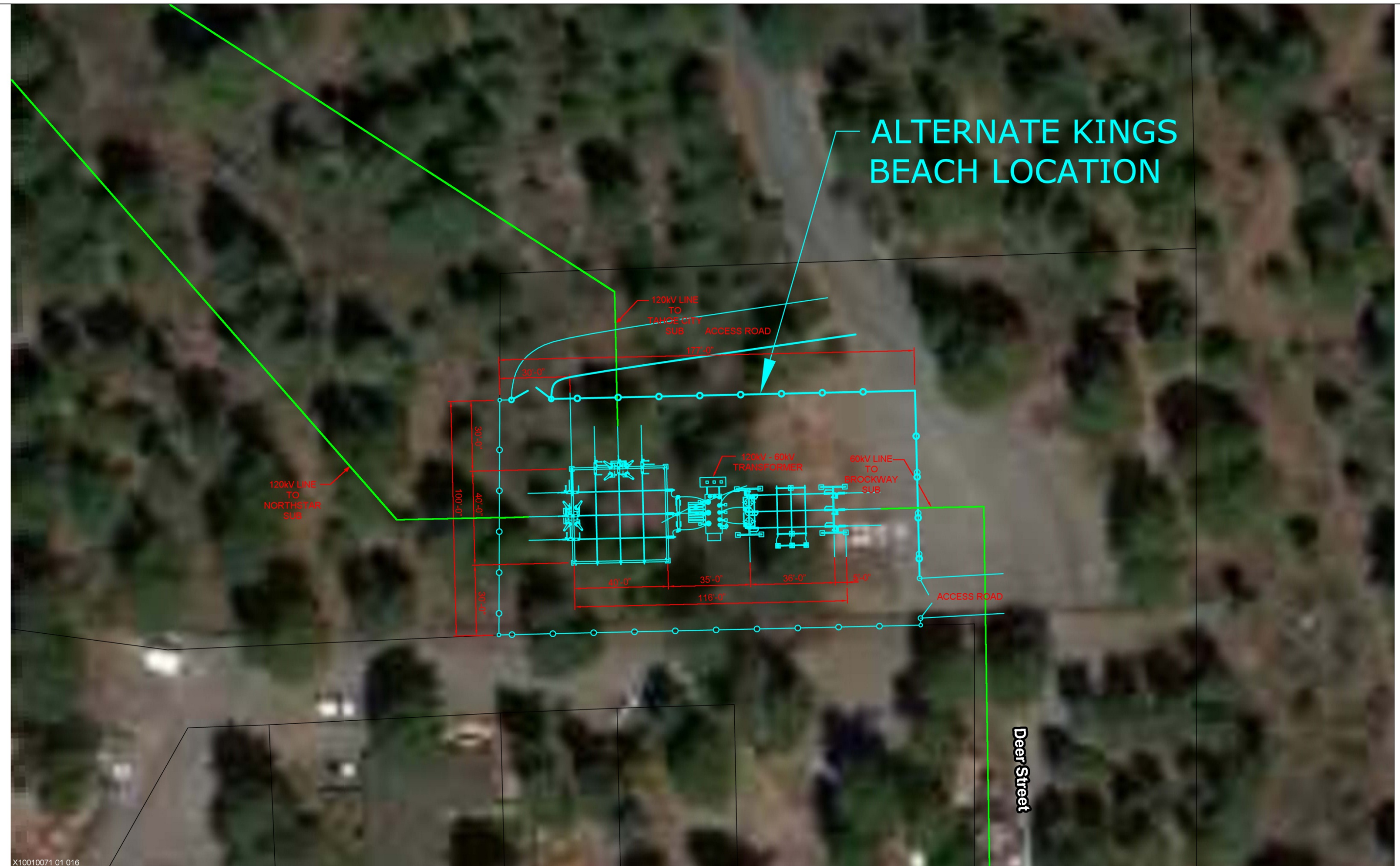
Exhibit 4.2-7

Kings Beach Substation – Option 1









Source: adapted by Ascent Environmental 2013

Exhibit 4.2-8

Kings Beach Substation – Option 2







within the same parcel, within the Kings Beach Industrial Community Plan Area. With this configuration, there would not be sufficient space for the additional equipment that would be required to allow for the decommissioning of the Brockway Substation, as under the first option. Under this option, the Kings Beach Substation would include the 120 kV switches and one 120/60 kV transformer, but the parcel would not accommodate the 14.4 kV switchgear. As such, the Brockway Substation would need to remain operational in its current location to accommodate this function. The purpose of this option is to address the TRPA plan area statement compliance which, for full compliance would require all modifications to occur within the Kings Beach Industrial Plan area.

In addition, the existing distribution feeders would remain in their current overhead state. The existing 60 kV overhead line from the Kings Beach facility to Brockway Substation would remain primarily in its existing route but would need to have a new termination into the relocated substation site.

The same issues with regard to scenic prominence, noise, and inability to implement magnetic field reduction measures described for Option 1 would apply to Option 2, and the benefit of decommissioning of the Brockway Substation could not be realized. For these reasons, the rebuild of the Kings Beach Substation in its current location, and the amendment to the Martis Peak (019) PAS that would be required to accommodate it, is the proposed option included with the action alternatives.

## DISTRIBUTION UNDERBUILD

The Lower Truckee PAS does not list Transmission and Receiving facilities, which include the distribution underbuild component of the project, as a permissible use. Because the power line and underbuild were constructed before the effective date of the Regional Plan, the underbuild is permissible as a legally existing, non-conforming use (Section 21.5.1 of the TRPA Code). Section 21.5.2 of the TRPA Code states that an existing non-conforming use may not be expanded or intensified beyond the existing use on the effective date of the Regional Plan, however modifications to an existing non-conforming use may be permitted when they do not increase the extent of non-conformity as determined by TRPA. In accordance with Section 21.5.2, the relocation of the underbuild to the upgraded power poles would neither expand nor intensify this use, because the distribution underbuild would simply be moved to the new poles—the capacity, conductor, and related infrastructure would not be altered.

Access ways are considered an accessory to the power lines and substations. TRPA defines an accessory use as a “use, building or other facility customarily part of a primary use that is clearly incidental and secondary to the primary use, that does not change the character or the intensity of the primary use, and does not operate independently of the primary use” (Section 90.2 of the TRPA Code). Accessory uses are regulated in accordance with the primary use upon which they are dependent (Section 21.3 of the TRPA Code). Power lines cannot be operated and maintained without designated access roads. In addition, access ways do not change the character or intensity of the power lines and do not serve a purpose outside of access to the power lines for inspection and maintenance purposes. As such, access ways meet the TRPA definition of accessory use and the primary uses are categorized as an Allowable or Special Use in all PASs and Community Plans (as described above) intersected by Alternative 1 (PEA Alternative) (see Table 4.2-2). Table 3-3 in Chapter 3, Project Alternatives, presents the extent of new or improved access ways for each alternative.

Because the proposed uses are permissible within all of the relevant PASs and Community Plans, or would be with adoption of the proposed Martis Peak (019) PAS amendment, the project would not expand or intensify a non-conforming use, and the special use findings under Subsection 21.2.2 can be made, this would be a **less-than-significant** impact.

## MITIGATION MEASURES

*No mitigation measures are required.*

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<b>IMPACT</b> <b>4.2-2</b> <b>(Alt.1)</b>	<b>Consistency with land use plans, policies, and regulations.</b> Construction, operation, and maintenance of the project have the potential to result in conflicts with some of the policies or regulations adopted by relevant state, regional (i.e., TRPA), and federal agencies with jurisdiction over the project. However, Applicant Proposed Measures (APMs) (see Chapter 3, Project Alternatives) are included as part of the project. Appendix G of this document contains an analysis of the consistency of the project with all applicable policies adopted for the purpose of avoiding or mitigating an environmental effect, and references specific APMs, impact analyses, and mitigation measures that would preclude any policy conflicts, and reduce plan consistency impacts to <b>less-than-significant</b> levels.
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Agencies with jurisdiction over lands in the project area include the USFS (Tahoe National Forest and LTBMU), the USACE, TRPA, the California Department of Parks and Recreation, Nevada County, Placer County, and the Town of Truckee. Under Alternative 1 (PEA Alternative), the majority of the proposed upgrades to the 625 and 650 Lines would occur within an established utility corridor in which an existing 60 kV power line is currently located. The rerouted segments of the 625 Line west of SR 267 and straightened segments east of SR 267 are limited to portions of the power line located on NFS land. As such, Alternative 1 (PEA Alternative) would not result in any changes in land use or zoning designations in Nevada County, Placer County, or the Town of Truckee. Similarly, the upgrades to that portion of the 625 Line that crosses Burton Creek State Park would involve reconstruction of the power line within the existing, expanded, easement.

Plans identified in Section 4.2.1, Regulatory Setting, include policies to protect people and the environment from project-related impacts. The table contained in Appendix G of this EIS/EIS/EIR discusses the project's consistency with specific goals, policies and objectives contained in these plans.

Projects that involve the siting and design of investor-owned public utility facilities (such as Alternative 1) are not subject to local land use plans, policies or regulations, because CPUC has sole and exclusive jurisdiction over these types of actions consistent with General Order No. 131-D. Consequently, Alternative 1 (PEA Alternative) would not conflict with any applicable local land use plan, policy, or regulation and as discussed above would not alter land uses regulated by local agencies.

Although the project would be exempt from local land use and zoning regulations and discretionary permitting, local agencies have been consulted regarding land use matters potentially affected by the project. The discussion of the project's consistency with local plans, policies, and regulations included in Appendix G is for informational purposes only.

The General Order No. 131-D exemption from local agency regulation does not apply to relevant state, regional, and federal agencies with regulatory jurisdiction over the project. Relevant state, regional (i.e., TRPA), and federal plans and policies are discussed in Section 4.2.1, and Appendix G of this EIS/EIS/EIR summarizes project consistency with these regulations.

To reduce or avoid adverse environmental effects of the project, APMs (see Chapter 3, Project Alternatives) have been incorporated into the project as proposed project features. Further, for significant or potentially significant construction or operational impacts (that could also result in policy consistency conflicts), mitigation measures have been included in the applicable resource sections to reduce impacts (and policy conflicts) to less-than-significant levels.

With integration of all APMs into the project design and all mitigation measures identified in Sections 4.3, Forestry Resources through 4.14, Noise of this EIS/EIS/EIR, Alternative 1 (PEA Alternative) would not conflict with applicable state, regional, and federal plans and policies. Because the project would not conflict with relevant state, regional, and federal plans and policies, the impact would be **less than significant**.

MITIGATION MEASURES

No mitigation measures are required.

ALTERNATIVE 2 – MODIFIED ALTERNATIVE

DIRECT AND INDIRECT EFFECTS

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IMPACT 4.2-1 (Alt.2)	Introduce uses not listed as permissible in the PAS or Community Plan, expand or intensify an existing non-conforming use such that substantial land use conflicts or incompatibility would occur. This impact would be the same as Alternative 1 (PEA Alternative). Like Alternative 1 (PEA Alternative), Alternative 2 (Modified Alternative) components would be permissible with the adoption of the amendment to the Martis Peak (019) PAS, and necessary special use findings could be made, and as such Alternative 2 (Modified Alternative) would not expand or intensify a non-conforming use. For these reasons, this impact would be <b>less than significant</b> .
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The impact and impact conclusion would be the same as that described for Alternative 1 (PEA Alternative) because the project components, their use categories, and the relevant PASs and Community Plans would all be the same. The rationale for making the special use findings would also be the same for Alternative 2 (Modified Alternative). This impact would be **less than significant**. Refer to the full discussion under Impact 4.2-1 (Alt. 1), above.

MITIGATION MEASURES

No mitigation measures are required.

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IMPACT 4.2-2 (Alt.2)	<b>Consistency with land plans, policies, and regulations.</b> Construction, operation, and maintenance of the project have the potential to result in conflicts with some of the policies or regulations adopted by relevant state, regional (i.e., TRPA), and federal agencies with jurisdiction over the project. However, APMs (see Chapter 3, Project Alternatives) are included as part of the project. Appendix G of this document contains an analysis of the consistency of the project with all applicable policies adopted for the purpose of avoiding or mitigating an environmental effect, and references specific APMs, impact analyses, and mitigation measures that would preclude any policy conflicts, and reduce plan consistency impacts to <b>less-than-significant</b> levels.
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The impact and impact conclusion for Alternative 2 (Modified Alternative) would be the same as that described for Alternative 1 (PEA Alternative), because the project components would all be the same. Applicable APMs and mitigation measures for this alternative would be different, in some cases, than those identified for Alternative 1 (PEA Alternative), based on variability of physical impacts for the power line alignments associated with this alternative. However, the APMs and mitigation measures identified in this EIS/EIS/EIR would address any potential conflicts with applicable state, regional, and federal plans and policies (Appendix G). Therefore, this impact would be **less than significant**. Refer to the full discussion under Impact 4.2-1 (Alt. 1), above.

MITIGATION MEASURES

No mitigation measures are required.

ALTERNATIVE 3 – ROAD FOCUSED ALTERNATIVE

DIRECT AND INDIRECT EFFECTS

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IMPACT 4.2-1 (Alt.3)	Introduce uses not listed as permissible in the PAS or Community Plan, expand or intensify an existing non-conforming use such that substantial land use conflicts or incompatibility would occur. This impact would be the same as Alternative 1 (PEA Alternative). Like Alternative 1 (PEA Alternative), Alternative 3 (Road Focused Alternative) components would be permissible with the adoption of the amendment to the Martis Peak (019) PAS and necessary special use findings could be made, and as such Alternative 3 would not expand or intensify a non-conforming use. For these reasons, this impact would be <b>less than significant</b> .
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The impact and impact conclusion would be the same as that described for Alternative 1 (PEA Alternative), because the project components, their use categories, and the relevant PASs and Community Plans would all be the same. The rationale for making the special use findings would also be the same for Alternative 3 (Road Focused Alternative). This impact would be **less than significant**. Please refer to the full discussion under Impact 4.2-1 (Alt. 1).

MITIGATION MEASURES

*No mitigation measures are required.*

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IMPACT 4.2-2 (Alt.3)	<b>Consistency with land use plans, policies, and regulations.</b> Construction, operation, and maintenance of the project have the potential to result in conflicts with some of the policies or regulations adopted by state, regional (i.e., TRPA), and federal agencies with regulatory jurisdiction over the project. However, APMs (see Chapter 3, Project Alternatives) are included as part of the project. Appendix G of this document contains an analysis of the consistency of the project with all applicable policies adopted for the purpose of avoiding or mitigating an environmental effect, and references specific APMs, impact analyses, and mitigation measures that would preclude any policy conflicts, and reduce plan consistency impacts to <b>less-than-significant</b> levels.
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The impact and impact conclusion would be the same for Alternative 3 (Road Focused Alternative) as that described for Alternative 1 (PEA Alternative), because the project components would all be the same. Applicable APMs and mitigation measures for this alternative would be different, in some cases, than those identified for Alternative 1 (PEA Alternative), based on variability of physical impacts for the power line alignments associated with this alternative. However, the APMs and mitigation measures identified in this EIS/EIS/EIR would address any potential conflicts with applicable state, regional, and federal plans and policies (Appendix G). Therefore, this impact would be **less than significant**. Refer to the full discussion under Impact 4.2-1(Alt. 1), above.

MITIGATION MEASURES

*No mitigation measures are required.*



## ALTERNATIVE 4 – PROPOSED ALTERNATIVE

### DIRECT AND INDIRECT EFFECTS

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<b>IMPACT 4.2-1 (Alt.4)</b>	<b>Introduce uses not listed as permissible in the PAS or Community Plan, expand or intensify an existing non-conforming use such that substantial land use conflicts or incompatibility would occur.</b> This impact would be the same as Alternative 1 (PEA Alternative). Like Alternative 1 (PEA Alternative), Alternative 4 (Proposed Alternative) components would be permissible with the adoption of the amendment to the Martis Peak (019) PAS and necessary special use findings could be made, and as such Alternative 4 (Proposed Alternative) would not expand or intensify a non-conforming use. For these reasons, this impact would be <b>less than significant</b> .
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The impact and impact conclusion would be the same as that described for Alternative 1 (PEA Alternative), because the project components, their use categories, and the relevant PASs and Community Plans would all be the same. The rationale for making the special use findings would also be the same for Alternative 4 (Proposed Alternative). This impact would be **less than significant**. Please refer to the full discussion under Impact 4.2-1 (Alt. 1).

### MITIGATION MEASURES

*No mitigation measures are required.*

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<b>IMPACT 4.2-2 (Alt.4)</b>	<b>Consistency with land use plans, policies, and regulations.</b> Construction, operation, and maintenance of the project have the potential to result in conflicts with some of the policies or regulations adopted by state, regional (i.e., TRPA), and federal agencies with regulatory jurisdiction over the project. However, APMs (see Chapter 3, Project Alternatives) are included as part of the project. Appendix G of this document contains an analysis of the consistency of the project with all applicable policies adopted for the purpose of avoiding or mitigating an environmental effect, and references specific APMs, impact analyses, and mitigation measures that would preclude any policy conflicts, and reduce plan consistency impacts to <b>less-than-significant</b> levels.
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The impact and impact conclusion would be the same for Alternative 4 (Proposed Alternative) as that described for Alternative 1 (PEA Alternative), because the project components would all be the same. Applicable APMs and mitigation measures for this alternative would be different, in some cases, than those identified for Alternative 1 (PEA Alternative), based on variability of physical impacts for the power line alignments associated with this alternative. However, the APMs and mitigation measures identified in this EIS/EIS/EIR would address any potential conflicts with applicable state, regional, and federal plans and policies (Appendix G). Therefore, this impact would be **less than significant**. Refer to the full discussion under Impact 4.2-1(Alt. 1), above.

### MITIGATION MEASURES

*No mitigation measures are required.*

## ALTERNATIVE 5 – NO ACTION/NO PROJECT ALTERNATIVE

### DIRECT AND INDIRECT EFFECTS

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<b>IMPACT 4.2-1 (Alt.5)</b>	<b>Introduce uses not listed as permissible in the PAS or Community Plan, expand or intensify an existing non-conforming use such that substantial land use conflicts or incompatibility would occur.</b> Under Alternative 5 (No Action/No Project Alternative) existing conditions within the project area would be projected into the future. No changes to the existing power facilities, access ways, or substations would occur. Therefore, <b>no impact</b> would occur.
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Under Alternative 5 (No Action/No Project Alternative), the existing power line facilities for the 625 and 650 Lines would remain in place. Existing conditions would be projected into the future. Therefore, because there would be no changes in use, **no impact** would occur.

### MITIGATION MEASURES

*No mitigation measures are required.*

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<b>IMPACT 4.2-2 (Alt.5)</b>	<b>Consistency with land use plans, policies, and regulations.</b> Under Alternative 5 (No Action/No Project Alternative) existing conditions within the project area would be projected into the future. No changes to the existing power facilities, access ways, or substations would occur. Therefore, because there would be no changes in use and no actions would occur that could result in conflicts with policies or regulations adopted by agencies with jurisdiction over local and regional land use, <b>no impact</b> would occur.
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Under Alternative 5 (No Action/No Project Alternative), the existing power line facilities for the 625 and 650 Lines would remain in place. Existing conditions would be projected into the future. Therefore, because there would be no changes in use and no actions would occur that could result in conflicts with policies or regulations adopted by state, regional, and federal agencies with jurisdiction over the project, **no impact** would occur.

### MITIGATION MEASURES

*No mitigation measures are required.*

### CUMULATIVE IMPACTS

With the possible exception of precedent-setting actions such as amendment of the TRPA Code or other policy documents, impacts involving land use plans or policies and zoning generally would not combine to result in cumulative impacts. The determination of significance for impacts related to land use, as considered in Appendix G of the State CEQA Guidelines, is whether a project would conflict with any applicable land use plan or policy adopted for the purpose of reducing or avoiding environmental impacts. Such a conflict is site specific; it is addressed on a project-by-project basis.

One project, development of the Tahoe City Transit Center, is located immediately adjacent to the 625 Line and the Tahoe City Substation, in the Truckee River Corridor in North Lake Tahoe. The project is a north shore transit center and parking facility. Construction of this project is currently underway. The Tahoe City Transit Center project is expected to be completed by the time construction begins on any portion of the 625 Line or 650 Line. However, there is a potential for conflicting uses at the Tahoe City Transit Center site as CalPeco intends to use a

portion of the parcel to temporarily place transformers during construction on the 625 Line and at the Tahoe City Substation. As identified in Chapter 3, Project Alternatives, to ensure that the temporary transformers would not interfere with operation of the Tahoe City Transit Center, CalPeco will coordinate with the USFS and Placer County well in advance of construction to obtain permission to use the parcel. CalPeco would work to site the temporary transformers in undeveloped areas or in area designated for parking and restrict the public from this area. As a result, no significant conflicts are expected to occur.

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